







# RESEARCH STUDIES of the STATE COLLEGE OF WASHINGTON

Volume XV

March, 1947

Number 1

## INQUISITION PAPERS OF MEXICO

### II. THE TRIAL OF LUIS DE LA CRUZ, 1659

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#### INTRODUCTION<sup>1</sup>

The Trial of Luis de la Cruz is an excellent example of the legal procedure of the Inquisition of Mexico in the seventeenth century. In addition to the customary formulae, the manuscript papers of the trial contain documents and marginal notes that make it possible to reconstruct the Inquisition's complicated system of keeping records. Through indexes and cross-references, the prosecutor was able to apprehend nonconformists to the Faith who might otherwise have enjoyed a peaceful anonymity. There is human interest in glimpses of the despair, intrepidity, and, at times, pitiable insanity of prisoners in the secret cells of the Inquisition. Sociological data are provided in documents containing an itemized account of the charges made to Luis de la Cruz' owner for sustenance during the time his slave spent in prison, as well as in a detailed account of a public auction of this negro slave.

The well-regulated procedure of this trial may be attributed in part to the presence of the inspector, Don Pedro de Medina Rico.<sup>2</sup> Because the Holy Office of Mexico was in disrepute at this time, Medina Rico had come to Mexico in 1654 from the tribunal in Seville to investigate

<sup>1</sup>This is the second in the series, *Inquisition Papers of Mexico*, published by Research Studies of the State College of Washington. The Introduction to the first number in the series, *The Trial of Simón de León, 1647* (Vol. XIV [1946], pp. 3-5), explains the plan and aims of the series, as well as the method of transcription of the manuscript papers. The manuscript of the trial of Luis de la Cruz is in the collection of Mexican manuscript papers of the Library of The State College of Washington. Luis de la Cruz was a negro slave punished in the *auto de fe* of 1659 for having violated his oath of secrecy when he was a servant in the secret prisons of the Inquisition. His sentence is cited by José Toribio Medina, *Historia del Tribunal del Santo Oficio de la Inquisición en México* (Santiago de Chile, 1905), pp. 270 and 274.

<sup>2</sup>I am grateful to Professor J. H. Nunemaker for the expert guidance and tireless assistance which made this work possible, and to Professor E. C. Kundert for his help with the proofreading.

<sup>3</sup>He died in 1669 in Veracruz, disappointed at having been ordered back to Seville. He had hoped to receive an archbishopric in the Indies as a reward for his work as inspector. For an account of this work, see Medina, *op. cit.* pp. 215-66.

its affairs. Soon after his arrival, he drew up fifty-one general charges against the three inquisitors—Don Juan Sáenz de Mafioza, Don Francisco de Estrada y Escobedo, and Don Bernabé de la Higuera y Amarilla—and against the secretary, Don Eugenio de Saravia. These charges covered several hundred specific counts, ranging from the taking of bribes and the appropriation of confiscated property for their own use, to improper living.<sup>4</sup> These were the men responsible for the determination of the guilt or innocence of hundreds of persons, among whom was Luis de la Cruz, an insignificant negro slave.

In 1656, trials of offenders against the Faith or the Inquisition were proceeding with renewed diligence. A number of the persons involved were relatives of the Portuguese who had been arrested in an attempt to avenge the "Great Conspiracy" of 1642.<sup>5</sup> The evidence for this plot seems to have been a conversation overheard by a servant, in which a Portuguese told three of his countrymen that if there were four other men of their courage in the city, they would set fire to the Inquisition, thus destroying the buildings and disposing of the inquisitoria. It appears more probable that this so-called conspiracy was merely another spur to the persecution of the Portuguese, begun at this time for political and economic reasons. Francisco Botello and his wife, María de Zárate,<sup>6</sup>

<sup>4</sup>The verdicts were pronounced in 1662. Sáenz de Mafioza, who had become fiscal in 1642 and inquisitor in 1647, was fined and suspended for nine years, a punishment that mattered little because he had already been appointed Archbishop of Havana. Estrada y Escobedo, appointed fiscal in 1634, later inquisitor, was fined and suspended for four years. Higuera y Amarilla, inquisitor from 1643, was fined, suspended for two years, and ordered to get rid of the negress slave with whom he had lived for over twenty years and by whom he had had numerous children. Saravia was absolved from all charges because he had died in 1658. See Medina, *op. cit.*, pp. 238, 262, and 265 f.; Gregorio Martín de Guijo, "Diario de sucesos notables en los años de 1648 a 1664," in *Documentos para la historia de México* (4 series, 20 vols., Mexico, 1853-57), 1st ser., I, 481; and Mariano Cuevas, *Historia de la Iglesia en Méjico* (5 vols., Tlalpan, 1921-28), III, 163.

<sup>5</sup>For a more extended treatment of this conspiracy and the conditions that led to the persecution of the Portuguese, see Medina, *op. cit.*, p. 173; and Luis González Obregón, *Don Guillén de Lampart, la Inquisición y la independencia en el siglo XVII* (Paris-Mexico, 1908), pp. 3-63.

<sup>6</sup>First arrested in 1642 and sentenced to two hundred lashes and exile in 1649, he was rearrested in 1650 for not complying with the order for exile, and was strangled and burned in 1659. Cf. Henry C. Lea, *The Inquisition in the Spanish Dependencies* (New York, 1922), p. 235; Joaquín García Icazbalceta, *Obras* (10 vols., Mexico, 1896-99), I, 298 f., and Medina, *op. cit.*, p. 279. Luis González Obregón in *Epoca colonial, Méjico viejo* (segunda serie, Mexico, 1895), pp. 704 and 710, states erroneously that Botello was burned in 1649 and reconciled in 1659. María de Zárate was fined a thousand pesos and sentenced to serve four years as a nurse in a hospital in 1659. See Medina, *op. cit.*, pp. 274 f.; González Obregón, *Méjico viejo*, p. 711, and "Inquisición. Lote Riva Palacio," *Boletín del Archivo general de la nación* (Mexico), IV (1933), p. 750.

were relatives of Portuguese who had been punished by the Inquisition, some of whom had been burned at the stake. Botello was in prison for the second time, and, although subjected to torture, neither he nor his wife revealed any information that incriminated them or others. Investigation of the bulky records of the Holy Office, however, showed that in 1645 and 1646 one Gaspar Alfar,<sup>7</sup> in reporting conversations overheard among the prisoners, testified that Ana Gómez<sup>8</sup> had made statements which implied that a negro servant in the prisons was carrying information back and forth among the prisoners. Ana Gómez was a first cousin of Francisco Botello, and her daughter, Inés Pereira, was the former owner of the negro slave, Luis de la Cruz.

When Inés Pereira was imprisoned by the Holy Office and her estate sequestered, her slave, Luis, was put to work as a servant in the secret prisons. In spite of the fact that his mistress was reconciled and her estate confiscated in 1649, Luis remained as a servant in the prisons until 1655, when he was sold by the Inquisition at a public auction.<sup>9</sup> Because of the relationship of these prisoners and the fact that their former slave, Luis, was a servant in the prisons at the time of their incarceration, the Inquisition assumed that Luis was the negro who was carrying the information among them.

Then, in 1656, Joseph de Zárate, a half-brother of María de Zárate, appeared of his own accord before the tribunal—probably as the result of having heard an Edict of Grace<sup>10</sup> read at mass. Thus Joseph de Zárate testified, among other things, that a negro named Luis was in the habit

<sup>7</sup> Gaspar de los Reyes, alias Fray Gaspar de Alfar, Abad de Sant Antón, was condemned in 1648 to perpetual service in the galleys and three hundred lashes for having celebrated mass and having administered the sacraments without being ordained. Cf. Genaro García, *Documentos inéditos o muy raros para la historia de México* (36 vols., Mexico, 1905-11), XXVIII, 137-58; Medina, *op. cit.*, p. 184; Gujo, *op. cit.*, pp. 4 f., and Julio Jiménez Rueda, *Heresias y supersticiones en lo Nuevo España* (Mexico, 1946), pp. 187-89 and 209. For additional testimony of this man, see "Inquisición Lote Riva Palacio," pp. 741-76 and 892-934, *passim*, and "Causa criminal contra Tomás Treviño de Sobremonte, por judasante," in *Boletín del Archivo general de la nación*, VI-VIII (1935-37), VI, 762-72.

<sup>8</sup> She was reconciled and her estate confiscated in 1635, then rearrested and burned alive in 1649. Her daughter, Inés Pereira, was the object of a cult on the part of some Jews who considered her the potential mother of the Messiah. Cuevas, *op. cit.*, III 167-69; Medina, *op. cit.*, pp. 166 and 197, and González Obregón, *Méjico viejo*, p. 701.

<sup>9</sup> According to the Instructions of 1484 to the tribunals of the Inquisition, Christian slaves of convicted persons were to be freed. Henry C. Lea, *A History of the Inquisition of Spain* (4 vols., New York, 1906-07), II, 339-40.

<sup>10</sup> The exhortation, delivered from time to time, granted absolution to the faithful who unburdened their consciences by confessing not only their own crimes but also those committed by others.

of going to see María de Zárate to give her information about her husband, who was then in prison.

On this evidence, Luis de la Cruz was arrested by the Holy Office in May of 1656 and charged with having violated his oath of secrecy by carrying information among the prisoners and, on their behalf, to and from persons outside the prisons. He had worked in the dank, depressing atmosphere of the secret prisons for fourteen years, and after scarcely fourteen months in the outside world, he returned to them, a criminal.

Violation of the oath of secrecy had become a serious offense. According to Lea,<sup>11</sup> when the Inquisition was first introduced into Castile, its hearings were public. The pledge of secrecy, required of all persons in any way connected with the Inquisition, first appeared in the Instructions of 1498. It was considered of such importance that, in the Instructions of 1607, the *Suprema* of the Inquisition in Spain notified all the subsidiary courts that all the power, authority, and reputation of its officials depended upon the secrecy of the Holy Office, and that the lack of it had made necessary the defining of the nature of the crime of violation of secrecy and the penalties for it. Secrecy was to cover everything in any way connected with the Inquisition, even matters to be made public later. To violate the secrecy of the Holy Office was to commit the crime of perjury and infidelity. The penalties were excommunication, a year's suspension from office, and a fine of fifty ducats for the first offense, with permanent removal from office, without salary, for the second.

Luis endured all the formalities and delays of a three-year trial, including torture. The only admission he made was that he had gone several times to the house of his former mistress, María de Zárate, while her husband was in prison. This one item was considered of sufficient importance to be used in the trials of Botello and his wife.

The inspector, Medina Rico, had charged that the lawyers for the prisoners, in the Holy Office of Mexico, had been lax in the defense of their clients, even when the latter had strong cases.<sup>12</sup> Perhaps as a result of this charge, Don Rodrigo Ruiz de Cepeda Martínez, Luis' lawyer, appealed his sentence on the grounds that the prosecutor, Don Andrés

<sup>11</sup> *Hist. Inq. Spain*, II, 470-78. On p. 607, he reprints the full text of the *Carta acordada* of 1607.

<sup>12</sup> Medina, *op. cit.*, p. 239.

de Zabalza,<sup>13</sup> had not proved any of the charges he had made against Luis, and that one of the two witnesses had testified against him merely through hearsay Nevertheless, in the case of Luis, the appeal was denied.

The penalties, outlined in the Instructions of 1607, were modified because they did not fit the circumstances of a negro slave His punishment, for violation of his oath of secrecy, included appearance in the public *auto de fe* of 1659,<sup>14</sup> reprobation by the Holy Office, and exile from Mexico City

### THE TRIAL OF LUIS DE LA CRUZ (Summary)

#### Petition for Arrest

On May 10, 1656, the prosecutor of the Inquisition, Andrés de Zabalza, presents a petition to the Holy Office for the arrest of Luis de la Cruz, a negro formerly employed as a servant in the secret prisons of the Inquisition, accusing him of having violated his oath of secrecy He submits the following evidence

#### *Witness No 1*

Gaspar Alfar, a prisoner who, in his own trial, has confessed fully to the crimes of having performed mass and of having administered the sacraments without being ordained, appears voluntarily on October 23, 1645, to report conversations that he has overheard among the prisoners

#### Chapter 1

He states that on August 11, 1645, at nine o'clock in the evening, he heard Ana Gómez tell her husband, Diego Diaz, that she could not talk to him until one o'clock in the morning At that time she told him that she had known for a long time that he and their daughter were in the same prison with her, but that she had not been able to talk to him before, because her negro had warned her that there was a spy in a nearby cell The witness believes that the negro was Luis, a servant in the secret prisons

#### Chapter 2

Ana Gómez went on to say that the negro told her to be careful not to speak to anyone, for the spy, meaning the witness, would report her to the inquisitors She thought, however,

<sup>13</sup> Ruiz de Cepeda Martínez was the official historian of the *auto general de fe* of 1659 He became *fiscal* in 1662 and in 1664 was named *canónigo magistral* of Michoacán Cf Medina, *op cit*, pp 273 and 314, and Guijo, *op cit*, p 535 Zabalza became *fiscal* in 1655 and died in 1662 Medina, *op cit*, pp 235 and 314

<sup>14</sup> A spectator, Guijo, *op cit*, pp 430-35, describes this *auto de fe*, and García Icazbalceta, *op cit*, pp 295-99, cites the official account

that he was now asleep, but should he accuse her of communicating with her husband, she would say that he lied, and they would not get any information out of her even if they chopped her into as many pieces as there are days in the year

Chapter 3                   The witness believes that the negro's warning made the prisoners afraid to talk, and he reminds the inquisitors that, in a previous deposition, he stated that Tomás Treviño de Sobremonte had told Francisco López Blandón<sup>1</sup> that a negro had warned him that there were spies in the prison. At that time the witness did not know who the negro was

Chapter 4                   Six months later, on May 25, 1646, Gaspar Alfar resumes his testimony, saying that he heard Gonzalo Báez tell Ana Gómez to ask the negro the name of a certain prisoner, and that she replied that the negro would not talk to her, that he was not allowed to enter the cell alone, and that the poor wretch could not even look around

Chapter 5                   On June 12, 1646, Alfar reports that he heard Gonzalo and Leonor Báez discussing the identity and predicament of another prisoner, and that Ana Gómez said that she would not be satisfied until she had asked her negro about this other prisoner. She told Leonor to ask him, if she had an opportunity

#### *Witness No 2*

On May 2, 1656, Joseph de Zárate appears voluntarily before the Holy Office to testify against himself and others, in order to unburden his conscience and seek mercy for the crimes he has committed by observing the dead Law of Moses. He is twenty-three years old, the son of a servant woman and Juan Sánchez de Vargas, the father of María de Zárate. He spent his childhood in the home of the latter and her husband, Francisco Botello, a prisoner of the Inquisition. He is married and has two children.

Chapter 1                   The witness states that his half-sister, María de Zárate, saw to it that the negro, Luis, came to see her frequently, so that he might give her information about the prisoners. When her husband had been tortured he told her, reporting that her husband had revealed nothing.

Chapter 2                   Furthermore, María de Zárate was in the habit of giving the negro money, tobacco, and gifts. Joseph de

<sup>1</sup> They are called Tomás Treviño and Francisco López in the MS.

Zárate does not know who owns the slave at present, but he saw the negro recently in the Calle de San Francisco, dressed in green livery, with mulberry and silver trimmings

#### *Bárbara de la Cruz*

On November 2, 1659, Bárbara de la Cruz, a negress, is summoned before the tribunal. She had been a slave of Francisco Botello and his wife, from the time she was brought from Guinea until she was sold after Botello was released from prison. In answer to elaborate questions regarding any knowledge she might have of acts committed against the Faith or the Holy Office, she says that she has no knowledge of, nor does she understand anything of, the contents of the questions. Finally, asked directly whether Luis was in the habit of coming to her kitchen for a cup of chocolate before leaving the house of her mistress, she replies that she has never seen Luis, and that no one, white or black, was in the habit of visiting María de Zárate while the latter's husband was in prison. She adds that she was very ignorant at that time, having recently come from Guinea, and did not notice things very carefully.

#### *Antón de la Cruz*

Immediately afterwards, Antón de la Cruz, husband of Bárbara, is brought in and questioned in the same manner. He states that during the time he was a slave of María de Zárate, he was away from home all day, selling water, and that at no time did he see the negro, not even when he carried Francisco Botello's dinner to him at the prison.

#### Arrest and Imprisonment

On May 10, 1656, the tribunal votes for the arrest and imprisonment of Luis de la Cruz, negro slave of the Count of Peñalva, and issues an order to the chief constable for his seizure.

Two days later, the chief constable signs a statement, attested by the jailer, that he has delivered Luis over to the latter. On the same day, Luis is searched, then administered the oath of secrecy, and placed in cell No 4 by the inquisitors. They order that he be given the ordinary ration of two reales a day.

#### The Trial

On May 16, 1656, Luis is summoned for his first court session and administered the oath of truth and secrecy.

He gives his name and says that he was born in Angola and is the slave of the Count of Peñalva. He does not know his age, but

appears to be over fifty His job is to sweep the house and carry water. He was arrested last Friday

**Genealogy** His father was a negro of Angola, named Cabangua, and his mother's name was Sinchi He knows nothing of his paternal or maternal grandparents, uncles, or aunts. He has two brothers in Angola, one named Muiimga, the other Nangai He is married to a negress named Esperanza Maria, slave of Licenciado Bueno, and he has no children

**Religious history** He states that he has never before been imprisoned by the Holy Office, that he was baptized and confirmed at an Augustinian monastery in Ixmiquilpan<sup>1</sup> He always hears mass when he is able, and confesses and receives the sacrament every year He confessed recently, during Lent, at the Cathedral of Mexico and received the sacrament in the Sagrario of the Cathedral Then he signs and crosses himself and recites the Pater Noster and the Ave Maria well. He says he is learning the Credo and the Salve

**Travel and education.** He has not studied and cannot read or write He has not been out of the Indies since he was brought here.

**Life history** After his arrival at Veracruz from Angola, Luis was sold to Francisco de Vargas, upon whose death he entered the service of his daughter, Inés Pereira, where he remained until she was imprisoned by the Inquisition He was then placed as a servant in the secret prisons, where he worked for fourteen years At the end of that time, the inspector ordered him sold at public auction He was purchased by the Count of Peñalva He has no idea why he has been imprisoned

**First warning** Luis is now warned that the Holy Office is not accustomed to seize anyone without sufficient evidence that he is guilty of or has guilty knowledge of crimes against the Faith or the Holy Office He is advised to refresh his memory and confess, whereupon his case will be dispatched with all the brevity and mercy possible, if not, justice will prevail

Luis pleads not guilty His statement is then read for his approval, and he is admonished to think it over and confess

Before returning to his cell, he requests blankets and a mattress. The inspector orders the jailer to give him those of Joseph Bruffón de Vértiz,<sup>2</sup> who died in the secret prisons

<sup>1</sup>MS. *Ezmiquilpa*.

<sup>2</sup>Called Joseph Bruffon in the MS

Second warning.

On June 1, 1656, Luis is summoned for a second session and asked whether he recalls anything to confess. He does not and is duly warned a second time.

On July 20, 1656, the jailer informs the inquisitor that Luis is complaining about a sore on his leg. A physician is summoned and ordered to give the prisoner medical attention.

On July 24, 1656, the inquisitors order that Francisco Botello be moved to cell No 4, and that Luis be transferred from there to cell No. 29, with Alonso de Espinosa, a blind man.

Third warning.

Summoned to a third session on September 18, 1656, Luis has nothing to say. He is then warned that the prosecutor is about to present his formal accusation and that it would be well for him to confess beforehand. He still has nothing to confess.

Accusation

The prosecutor accuses Luis of having committed crimes meriting unusual punishment, because, corrupted by personal interest and gifts, he failed in his oath of secrecy and gave out information to interested persons. This information caused great harm and might have caused greater. In particular, he accuses him of the following:

Chapter 1

That he went to the home of the wife of a prisoner to give her information about the prisoner and to carry back anesthetic remedies to keep him from feeling the torture.

Chapter 2

That he carried information to and from prisoners, by which they learned the status of their cases and were enabled to protect their accomplices.

Chapter 3

That the truth of the above is proved by the fact that a certain woman prisoner told her husband that her negro had warned her that there was a spy nearby.

Chapter 4

That Luis' warning made this woman afraid to talk.

Chapter 5

That other prisoners were afraid to talk because of the warning of a negro who, doubtless, was Luis.

Chapter 6

That the above-mentioned woman prisoner also said that she could not ask the negro questions because he was not allowed to enter her cell alone. The prosecutor states that this precaution was undoubtedly taken because the authorities had become aware that the negro gave information to the prisoners when he entered alone.

**Chapter 7.** That this same woman on another occasion said that she would not be satisfied until she learned the identity of a certain prisoner from her negro

**Chapter 8.** That, in spite of all the evidence, the prisoner, under oath, has refused to tell the truth and has thereby made himself unworthy of mercy In addition, it is to be presumed that the prisoner has committed, and has knowledge of, other crimes which he is maliciously concealing , therefore the prosecutor accuses him of perjury, infidelity, disobedience, and violation of his oath

The prosecutor then requests that the tribunal declare he has proved his case, and that Luis be condemned to the most severe punishments established for his crimes If, however, the court does not consider Luis' guilt established, the prosecutor asks that the prisoner be subjected to torture until he confess the entire truth

After the administration of the oath and the reading of the accusation, Luis replies to it, chapter by chapter

He states that he took the oaths of secrecy and fidelity and had no need or reason to break them, because he received everything he needed from the jailer's house He denies that he gave any of the information alleged, and that he either saw or had anything to do with anyone in the home of the criminals In conclusion, he states that he has committed none of the crimes of which he is accused, and asks the tribunal to show him mercy He says that he has told the truth under oath

The inquisitor orders that a transcript of the accusation be given to Luis and that he reply to it formally in three days He is allowed to choose a lawyer and selects Dr Rodrigo Ruiz de Cepeda Martínez for his defense Luis says that he does not need a transcript, because he cannot read

Before returning to his cell, Luis requests that some old trousers, rags, and thread be brought to him from his wife's house He also asks that his daily ration be increased, because he cannot keep alive on what he is now receiving The inquisitor orders that his clothes be sent for and that his ration be increased by a quarter of a real

On March 12, 1657, Luis is summoned to a session and, after being given an opportunity to confess, is told to confer with his lawyer The latter takes an oath to defend his client in so far as is legally possible, to set him right if his defense is unjustifiable, and to preserve secrecy in everything

After the reading of the accusation and Luis' so-called confessions, his lawyer advises him to confess fully Luis denies everything and asks to be acquitted of all charges and set at liberty He adds that he will answer the charges formally after the publication of the testimony of witnesses has been made

The prosecutor, having received a transcript of the proceedings, reaffirms his charges and requests that the case be admitted to proof The inspector says that the case is ready, whereupon the prosecutor asks for the publication of the evidence which he has prepared

Francisco López de Aponte      On April 19, 1657, the tribunal orders that Francisco López de Aponte be moved from cell No 18 to cell No 29, with Luis and Francisco del Valle

On April 20, 1657, Luis testifies that his new cell companion was brought in before noon, sat down on the bed, began dragging his hands on the floor, and kept repeating, "Head of a fish, fish of the sea" The man refused to drink his *atole*<sup>4</sup> and, after evening prayers, went up to Valle, who was pacing up and down in the dark, and grabbed him around the waist, saying Valle was making fun of him Valle denied this, saying that he was praying, and made López de Aponte sit down on the bed Then, at about five o'clock on this morning, the man got up, still dressed, and got into Valle's bed, saying he was going to sleep there Valle and Luis got up, and finally the other man went back and sat on his own bed This morning he was calm, but the previous night he had talked a lot of nonsense and said that a priest had testified against him that he had been married twice, he moaned that he was a poor wretch

On May 19, 1657, Luis again testifies against López de Aponte The night before, after *atole*, he told this man to put on his undergarments because he was naked except for his jacket The man refused and assaulted Luis, bruising his legs against the bedstead After a struggle, Luis tied him to the bed, not untying him until morning Luis says that he and Valle have not been able to endure this man during the last few days, because he breaks their dishes, puts out their candle with water, and will not let them sleep

Publication of the testimony      On April 4, 1658, Luis again refuses to confess, and the publication of the testimony of witnesses is made It is a repetition of the testimony of Gaspar Alfar and Joseph de Zárate set down at the beginning of the trial, chapter by

<sup>4</sup>A beverage or gruel usually prepared with a corn-flour base

chapter, with the names of the witnesses omitted.

Luis answers the publication as follows:

Witness 1, Chapter 1

Luis says that it is true that Ana Gómez and Diego Díaz were once his masters and that they were in prison while he was serving there, but that he did not say a word to them. He remembers that a prisoner named Alfar went up and testified that a negro, who he thought was Luis, had told Ana Gómez not to talk. This was not true. Moreover, the inquisitors had told Luis not to talk to Ana Gómez, and he had obeyed.

Chapter 2

lies of Gaspar Alfar

Luis replies that all the things in it are

Chapter 3

He says that it is true that Inés Pereira is the daughter of Ana Gómez, and that his wife nursed her, and that Tomás Treviño de Sobremonte was the brother-in-law, and Francisco López Blandón the brother of Ana Gómez, but that he, Luis, could see only their faces and, because of the jailer's warning, had never spoken to them.

Chapter 4

He states that it is true that he was never allowed to enter the cells alone, and that Ana Gómez had never had an opportunity to ask him anything.

Chapter 5

He knows nothing about this matter.

Witness 2, Chapter 1

He replies that it is true that he occasionally went to see María de Zárate, but that he told her absolutely nothing except that her husband was well. She did not give him anything except a cup of chocolate.

Chapter 2

He says that he never took anything from María de Zárate for himself, or to Francisco Botello, and that he never told her anything.

The inquisitors then order Luis to make a formal reply to the publication of evidence in three days.

On April 6, 1658, the prosecutor accepts Luis' confession in so far as it supports the charges against him.

On this same date, Luis is summoned to confer with his lawyer. He maintains that he has told the whole truth, and that Alfar has lied about him. In conclusion, he states that the tribunal, in passing judgment on him, should consider the fact that there are only two witnesses against him, one of them testifying merely through hearsay. Furthermore, it should take into account that he was a very ignorant negro, who did not

consider that telling María de Zárate that her husband was well was a violation of his oath He asks that mercy be shown him.

The prosecutor is notified that the trial is concluded.

Postponement of sentence. More than five months later, on September 25, 1658, the tribunal, composed of the inspector, three inquisitors, and two counselors, votes, four to two, to postpone the sentencing of Luis de la Cruz, because his accomplices are all in prison and their cases are about to be concluded

A year later, on September 5, 1659, the prosecutor petitions that Luis' testimony be ratified so that it may be used as evidence against María de Zárate and Francisco Botello This is granted

On September 5, 1659, the inspector and three inquisitors vote unanimously to put Luis to torture in order to secure more information from him about his own case and about others

Torture On September 17, 1659, Luis is summoned, given an opportunity to confess, and warned that, if he does not do so, he will be tortured The evidence is then repeated in full, and he is again told to confess

Luis replies by reviewing his visit to María de Zárate in detail, adding that her nephew, Baltasar de Burgos, was present at the time of his visit, that a negress made the chocolate for him, and that she and her husband, who is a water carrier, are still in town

He adds also that the day Francisco Botello quarreled with the assistant jailer and was put in chains, the devil took him, Luis, to María de Zárate's house, but that he did not tell her anything about the affair

He admits going to María de Zárate's house on two other occasions, but says he told her nothing except that her husband was well He also attempts to disqualify Gaspar Alfar's testimony on the grounds of enmity

Luis is then informed that learned men of good conscience have decided that he should be subjected to torture to make him tell the truth He is warned that, if in the torture he should suffer death, injury, loss of blood, or mutilation, it will be his fault for not telling the truth

At this point, he is taken to the torture chamber and ordered to strip He is placed on the rack, and the belt is fastened His arms and legs are then tied After each step, he is admonished to tell the truth, but has nothing to say. The first turn of the tightening ropes is made on each leg and each arm before he is willing to confess The men in charge

of administering the torture are then ordered to leave, and Luis relates that Nicolasa, the Spanish girl in the new prisons, had tried to coax him to come in to see her, but, because he had refused, he had not confessed thus before

The torturers return Further tightening of the ropes produces only moans and a few irrelevant pieces of information about legitimate tips given him for services outside the prison

The second tightening on the arms is ordered but produces nothing but moaning and complaints Finally, after a little over an hour, he is ordered released from the torture, but warned that he has not been sufficiently tortured, and that if he does not tell the truth, the tribunal has the power to continue the torture The physician is called to examine him, although he does not appear to have suffered any injury

On September 19, 1659, Luis ratifies the statements he made under torture

The sentence On October 3, 1659, the inspector, three inquisitors, and two counselors, after reviewing the case of Luis, vote, five to one, that this criminal be made to appear in a public *auto de fe* His sentence is to be read with a complete recital of his misdeeds—that is, *con méritos* On a subsequent day, he is to be reprobated in this tribunal and turned over to his master, who is to take him out of this city within the next ten days and not allow him to return without the express consent of the Holy Office The representative of the archbishop, although present, does not vote, because the case does not fall within his jurisdiction

On October 14, 1659, the sentence is formally read to Luis On the advice of his lawyer, he appeals the sentence, saying that public punishment should not be inflicted upon him, because not a single crime of which he is accused has been proved against him

On October 29, 1659, the prosecutor appeals for amendment of the sentence, to increase the penalties and inflict corporal punishment, for the salutary effect this has in the *autos de fe* He supports his appeal by pointing out that Luis finally confessed that he went to María de Zárate's house, thus supporting the testimony of the witness, and that it was unbelievable that he had gone there four times and told María de Zárate nothing, inasmuch as both she and Luis were such interested persons Moreover, the fact that he admitted going there of his own accord but said that he entered unwillingly shows the malicious intent of this criminal, for, led on by personal interest to violate the law, he

was troubled by his conscience. Besides, the torture was light and he was strong.

On November 6, 1659, the members of the tribunal reaffirm their original votes on the sentence of Luis de la Cruz.

On November 17, 1659, Luis is summoned and told that, in response to his request of November 5, a companion is to be placed in the cell with him. He is not to discuss his case with him. If the man should tell him anything, he is to ask for an audience and report it.

A complete account of the trial is recorded with the notation that it was read in a public *auto de fe* in the Plaza Mayor, in Mexico City, November 19, 1659.

Disposition of Luis de la Cruz. On December 1, 1659, the tribunal orders that the Count of Peñalva be notified to send someone to take Luis away, and to pay the charges for his maintenance during imprisonment.

On December 3, 1659, an itemized account of expenses incurred by the prisoner is entered in the record, from the time of his incarceration to the above date. These include charges for food, clothing, laundry, barber service, dishes, tobacco, medicines, and fees to the persons who administered the torture. They amount to 342 pesos, 6 1/4 reales. A charge will also be added for the time his master leaves him in the common prison where he now is. A marginal note states that up to January 17, 1660, Luis has incurred 11 pesos additional expense.

On January 13, 1660, the messenger of the Holy Office reports that he has interviewed the Count's grandfather, Francisco Esteban Beltrán, who holds his power of attorney. After looking over the bill, he, in the Count's name, relinquished all rights to Luis and turned him over to the treasury of the Inquisition.

On January 17, 1660, the inquisitors, having read the above report, instruct the secretary to send an official order to Francisco Esteban Beltrán to pay the stated amount and take over the slave. Meanwhile, Luis is to be placed for safe-keeping in the factory of Bartolomé Cardoso. The prisoner is to be kept in chains until further notice.

On January 22, 1660, the assistant notary reports that he notified Francisco Esteban Beltrán of the above act, and that Esteban replied that he had already said that he did not want to pay the negro's bill and that the Holy Office should take the negro in payment of the amount.

On January 24, 1660, the tribunal orders that Luis be sold at public

auction and that the proceeds be paid into the treasury for the cost of his maintenance.

On January 28, Francisco Mortufo, in the name of the Countess of Peñalva, presents a formal request to the tribunal that the person of Luis be accepted by the treasury in payment of his costs. He delivers the title and other documents pertaining to the slave's purchase and asks for a receipt.

These documents include a statement of the entire transaction, prepared by the secretary of the Holy Office, including the order by the inspector, on January 12, 1655, for the sale of Luis, the confirmation that the Countess of Peñalva made the highest bid, the confirmation that she paid 310 pesos to the treasurer in return for a bill of sale; and the approval of the sale by the inspector.

A witnessed account of the auction is included in the documents, followed by the formal bill of sale and the approval of the inspector. There is also an order that the amount obtained from the sale of the slave be credited to the Inquisition's account of the sequestered estate of the criminal to whom he formerly belonged.

On January 30, 1660, the prosecutor states that the owner has not discharged his responsibility by giving the slave to the Holy Office, because the bill incurred by the slave was for food to preserve his life, and this bill is greater than his sale value. However, because of the special circumstances, the relinquishment of the slave to the treasury may be accepted.<sup>4</sup>

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<sup>4</sup>The Spanish text of the MS of the trial of Luis de la Cruz is given below. The original pagination of the MS is shown in bold-faced Arabic numerals between slanting lines. Accents have been omitted because they appear rarely in the MS and then unsystematically. Capitalization has been made to conform to modern usage. Abbreviations are solved, with the supplied letters printed in italics.



Facsimile of the title page of the manuscript

/1/ Mexico

Año de

1656

**CAUSSA CRIMINAL**

contra  
Luis de la Cruz,<sup>1</sup> negro, sobre  
hauer faltado al juramento de  
fidelidad que hizo, y reuelado  
el secreto del Santo Officio

Sacada la relación para el  
secretario hasta la  
conclussion difinitua

No 61 asentado  
[rúbrica]

[rúbrica]<sup>2</sup>

Asentado en el libro de penitencias [rúbrica] L legajo 4º

/2/ [blank] /3/

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<sup>1</sup> Many of the persons mentioned in the text of the MS have been discussed in the Introduction. No further comment will be made on them in the notes to this section.

<sup>2</sup> This is the rúbrica of Andrés de Zabalza. The other two on this page are by Martín Ibáñez de Ochandiano.

**Muy Ilustre Señor.**

Presentado en dies de mayo  
de sinquenta y seis años

*Autos [rúbrica]*<sup>1</sup>

El Licenciado Andres de Çabalça, abogado desta Real Audiencia que hago officio de señor fiscal deste Santo Officio, como mejor aya lugar, paresco ante Vuestra Señoria y querello criminalmente de vn negro llamado Luis, que sirvio en las carceles secretas en el tiempo de la complicitad, y digo que, debiendo el sussodicho en obseruançia de la religion del juramento que precissamente haria quando entro a seruir y ayudar en los ministerios necessarios en dichas carceles, y por la naturaleça del exercicio en que estaba ocupado, guardar secreto y fidelidad de todo aquello que veia, oya y sabia en ellas, como mal cristiano [Xptiano] y sin temor de Dios Nuestro Señor y en menosprecio de la authoridad deste Santo Officio y graue daño de su consciencia y detrimento de la recta administracion de justicia, faltó a la fidelidad, comunicando fuera de las carceles lo que dentro de ellas passaba, llebando y traiendo auissos y cometiendo otros delictos, como consta de la testificacion que con la debida solemnidad pressento, cuio castigo toca a este Santo Officio

A Vuestra Señoria pido y supplico que hauiendo por presentada dicha testificacion, mande se despache mandamiento de prission contra la persona del dicho negro, Luis, que estando preso, lo protesto acusar, y juro en forma no ser de maliçia Pido justicia y en lo necesario &

El Licenciado Andres de Çabalça [rúbrica]

Auto En la ciudad de Mexico, dies dias del mes de mayo de mill y seiscientos y sinquenta y seis años, estando en su audiencia los señores inquisidores, Doctor Don Pedro de Medina /4/ Rico, visitador, Don Francisco de Estrada y Escouedo<sup>2</sup> y Licenciado Don Bernaue de la Higuera y Amarilla, el Licenciado Andres de Sabalza, que haze officio de señor fiscal, presento la petision retro escrita y pido lo contenido en ella y justicia

Los dichos señores inquisidores dixeron que la hauian y huiieron por presentada, y quedando la ynformacion que offrese, estaban prestos de hazer justicia

<sup>1</sup> I have been unable to identify this rúbrica It may even be a word, for the letters *s* and *c* can be distinguished

<sup>2</sup> After Escouedo, Don Juan [Juo] Saens de Mañosca is written and crossed out

El dicho Licenciado Andres de Sabalza dixo que para que conste de lo contenido en dicha su petision, hazia e hizo presentacion de la ynfomacion siguiente

Testado · Don Juan Saenz de Mañozca—no bale.  
Paso ante mi  
Evgenio de Sarauia [rúbrica] /5/

En la ciudad de Mexico, lunes, dos dias

*Testigo 1 Gaspar Alfar contra Luis, negro, sirviente en las carceles secretas* de el mes de septiembre de mill y seiscientos y quarenta y un años, estando en su audiencia de la mañana los señores inquisidores

Lizenciado Domingo Velez de Asaz y Argos y Doctor Don Bartolome Goncalez Soltero,<sup>8</sup> electo obbispo de Guatemala, parecio en ella Francisco Ruiz Marañon, alcaide de las carceles secretas, y hizo relaccion que Gaspar de Alfar, preso en ellas, pedia audiencia Y habiendo mandado traer, siendo pressente, fue de el dicho Gaspar de Alfar receuido<sup>9</sup> juramento en forma de derecho,<sup>10</sup> so cargo del qual prometio de decir verdad, asi en esta audiencia como en las demas que con el se tuvieran, hasta la conclusion de su causa, y de guardar secreto de todo lo que con el se tratare y comunicare sobre su negocio Y le fue dicho que bea para que la quiere, y a pedido la dicha audiencia, y que es de edad de treinta y ocho años

Relacion Este reo testigo esta preso en las carceles secretas de este Sancto Oficio por haber celebrado el sancto sacrificio de la missa y administrado los sacramentos de la Yglessia, sin ser ordenado Y hauiendo sido muy buen confitente, y estandose haciendo las dilijencias neçesarias para la prosecucion de su caussa, y dio noticia que desde su carcel oya que algunas personas de las que estaban presas se comunicaban, sobre lo qual se tuvieron con el diferentes audiencias. Y se le mando estubiesse con cuidado para notar y auisar lo que oyere y entendiere cerca de las dichas comunicaciones, escriuiendolas en papel que para ello se le dio rubricado<sup>11</sup> Y en esta conformidad, pido au-

<sup>8</sup> Vélez de Asaz y Argos (1582-1647) became inquisitor in Mexico in 1638. Medina, *op. cit.*, p 171 On Gonzalez Soltero (1586-1650), see Guijo, *op. cit.*, p 103

<sup>9</sup> MS *recenndo*

<sup>10</sup> The cedilla occurs incorrectly used throughout the MS Cf *Goncales*, above

<sup>11</sup> Paper supplied to prisoners was carefully numbered and rubricated by the secretary to prevent their withholding any *Lea, Hisp. Inq. Spain*, II, 517

dienicia y declaro contra diferentes personas Y muy amonestado, fue mandado boluer a su carcel Y lo firmo Gaspar Alfar Ante mi· Evgenio de Sarauia /6/

En la ciudad de Mexico, lunes veinte y tres dias de el mes de octubre de mill y seiscientos y quarenta<sup>9</sup> y cinco años, estando en su audiencia de la tarde el señor inquisidor Licenciado Don Bernabe de la Higuera y Amarilla, mando traer a ella de su carcel a Gaspar Alfar Y siendo presente, le fue dicho que el alcaide a echo relacion que pide audiencia, que en ella esta, y bea lo que quiere, y en todo diga verdad, so cargo de el juramento que tiene fecho

Dijo que la a pedido para declarar lo que a oydo a los presos desde su carcel

*Relacion* Y habiendo dicho y nombrado a algunas personas en esta audiencia y dicho otras cosas que no hazen al propósito, dijo contra Luis, negro, lo siguiente

*Capítulo 1* En el viernes, once de agosto de este pressente año, la dicha Ana Gomez a las nuebe de la noche estubo muy Desde aqui ynquieta en la puerta de su carcel, dando muchos suspiros y llorando<sup>10</sup> Y los hombres que estan en la carcel de las dos bentanas, que la oieron, vinieron a la bentana y dijo vno de los dos que alli estan, que se llama Diego Diaz,<sup>11</sup> marido de la dicha Ana Gomez "Anna, ¿que tienes? Habla, no temas, no tengas pena" Y ella, muy quedito, dijo que no podia, que no era ora Y ellos no le entendieron y se lo boluieron a preguntar Y respondio la dicha Anna Gomez que a la vna de la noche les ablaría, que entonces no era ora Y despues de la vna de la noche se boluieron a hablar Y dixo el dicho Diego Diaz (y sabe este declarante que es el, porque le dijo a la dicha Anna Gomez "Yo soy tu marido") "¿Me conoces?" Y ella respondio que si, que desde que esta alli, sabe muy bien que esta en aquella carcel, y el companiero, y que sabe que su hija Ynes esta alli arriba de su carcel en el mesmo callejon, y que el Hermitafio de la Venta esta alli tambien, y entre ella y

<sup>9</sup> MS. *cincuenta* with *cum* crossed out, and *ojo* in the margin. The resulting abbreviation gives the correct date

<sup>10</sup> For a similar situation, see "Causa Treviño," VI, 762 f.

<sup>11</sup> He was arrested in 1643, exiled in 1649, rearrested in 1652. In 1659 the executioners started to strangle the seventy-year-old man by error, stopped and burned him alive Cf. Medina, *op. cit.*, pp. 277 f., González Obregón, *Méjico viejo*, p. 710, and Lea, *Inq. Dependencias*, p. 235

el dicho hermitaño /7/ esta vn espreita, que quiere decir escucha. Y preguntandole el dicho Diego Diaz a la dicha Anna Gomez que quien le a dicho eso, ella le respondio en lengua mexicana<sup>13</sup> que su gueithltiqui, que

Que Luis, el negro grande, padre de Ignacio o Nicolasillo le havia dicho lo que referia y el testigo entendio por el negro grande a Luis sirue en las carceles secretas Y no hauiendo el dicho Diego Diaz oido bien a la dicha Anna Gomez, se lo boluo a preguntar, y ella le rrespondio "A quien tengo yo, que me lo pueda decir, que ande suelto aqui suruiendo" Y el dicho Diego Diaz le dijo "Ya te he entendido, no nom bres"<sup>14</sup>

### Capítulo 2

Que el negro, Luis, le dijo a Ana Gomez no hablasse porque el testigo era [es]preita, que es escucha, y la havia de acusar

[es]preita, que es escucha causa por que no he ablado avnque te oigo y te he conocido desde que estas ay Y si acaso nos acusare, que no ara, que estara durmiendo, decir que miente, que avnque a mi me agan mas pedaços que dias tiene el año, no me an de sacar nada, y salbar siempre a quien me dio el aviso "

### Capítulo 3

Que fue causa el negro Luis para que los reos no se declarasen, por el recelo que tendr[a]n del testigo y noticia que dente havia dado

qual le dixo a este declarante que diese cuenta a los señores, y que avnque sea contrra el, diga todo quanto hubiere oido y lo de el dicho negro Luis

Y que se acuerda que en las audiencias pasadas, que a tenido este declarante de las comunicaciones que tubieron el dicho Thomas Tremiño

Quiere decir que su negro, el grande, el padre de Ynaçillo o Nicolasillo, que no lo entendio bien este declarante<sup>15</sup> Y por el negro grande, entiende este declarante a Luis, el<sup>16</sup> que

quiere decir que su negro, el grande, el padre de Ynaçillo o Nicolasillo, que no lo entendio bien este declarante<sup>15</sup> Y por el negro grande, entiende este declarante a Luis, el<sup>16</sup> que

Y dijo la dicha Anna Gomez que este tal hombre que esta alli junto a su carcel (dicendolo por este declarante) le dixo el dicho negro, Luis, que mirase lo que hacía, que no hablasse palabra con nadie, porque este es Luego los avia de acusar "Y asi esta es la causa por que te oigo y te he conocido desde que estas ay Y si acaso nos acusare, que no ara, que estara durmiendo, decir que miente, que avnque a mi me agan mas pedaços que dias tiene el año, no me an de sacar nada, y salbar siempre a quien me dio el aviso "

Y dice este declarante que el negro Luis es causa de que esta jente no aya hab[!]ado, por lo que la dicha Anna Gomez ha dicho Y este declarante se lo dixo al alcalde Francisco Ruiz Marañon que le remediará, el

que dice este declarante que el negro Luis es causa de que esta jente no aya hab[!]ado, por lo que la dicha Anna Gomez ha dicho Y este declarante se lo dixo al alcalde Francisco Ruiz Marañon que le remediará, el

<sup>13</sup> Following *mexicana*, the text is underscored through *su negro, el grande*

<sup>14</sup> In "Causa Treviño," VI, 770, Alfar states that he does not understand the Mexican language, but that his cellmate does. This may account for Alfar's attributing a son to Luis, who states on p. 32 of the MS that he has no children

<sup>15</sup> *A Luis, el* is underscored

<sup>16</sup> MS *mombress*

y Francisco Lopez Blandon y Ynes Pereira, dixeron que auia espreitas<sup>18</sup> quando estaba /8/ Luis Perez de Bargas<sup>19</sup> en compaňia de este declarante Y preguntando el dicho Treviño al dicho Francisco Lopez, quien

Tienen recelos los reos de que hauia espías o escuchas, y dixo preguntado vno que se lo hauia avisado vn negro, y entiendese que era Luis

No hay que dar en la moni-  
cion

mento fecho Y lo firmo, conque fue mandado boluer a su carcel Gaspar Alfar Ante mi Licenciado Thomas Lopez de Erenchun<sup>20</sup>

Ratificación de Gaspar Al-  
far contra Luis, negro, entre  
otros

estando en su audiencia de la mañana el señor inquisidor Liçençiado Don Bernabe de la Higuera y Amarilla, mando traeſ a ella de su carcel a Gaspar Alfar, de el qual, estando pressentes por onestas y religiosas personas<sup>21</sup> los padres Fray Diego de Segura y Frai Thomas de Salas de la Orden de Santo Domingo, que tienen jurado el secreto, fue receuido juramento en forma, so cargo de el qual prometio decir verdad

Preguntado si se acuerda aber depuesto alguna cossa ante algun juez contra alguna o algunas personas sobre cossas tocantes a la fee, dixo que se acordaba hauer dicho en este Sancto Oficio, y refirio en sustancia lo en el contenido, y pido se le leiesse

Fuele dicho que se le haçe saber que el señor fiscal de este Sancto Oficio le presenta por testigo en juicio plenario<sup>22</sup> contra el negro, Luis,

<sup>18</sup> MS *espreitas*

<sup>19</sup> Treviño was reconciled in 1625 but burned alive in 1649 See "Causa Treviño" Lopez Blandon was reconciled at the age of 17 in 1635, but burned in 1649 Cf Medina *op cit*, pp 166 and 198 Gonzalez Obregon, *Mexico viejo*, p 701, and "Causa Treviño," VII, 88 and 105 Perez de Vargas was a monk, imprisoned in 1643 for having married He was exiled in 1646 Cf Medina, *op cit*, p 181, Genaro Garcia, *op cit*, XXVIII, 32 f, and "Causa Treviño," VI, 772-77, and VII, 91-100

<sup>20</sup> He was fiscal until 1655, then notario ayudante del secreto until 1662, when he was suspended from office for two years Medina, *op cit*, pp 235 and 262

<sup>21</sup> Two "honest and religious" persons were required to be present at all ratifications of evidence Lea, *Hist Ing Spain*, II, 544

<sup>22</sup> *Juicio plenario* indicates that the trial is in progress but this evidence was taken from the trial of Diego Diaz in 1645 See MS, p 10, and Lea, *Hist Ing Spain*, II, 545

alias Luçindo,<sup>21</sup> que este atento y se le leera su dicho, y si en el hubiere que alterar, añadir, y enmendar, lo haga de manera que en todo diga verdad, y se afirme y ratifique en ella, porque lo que aora dixere, parara perjuicio a la susodicha.<sup>22</sup> Y luego le fue leido todo de verbo ad verbum, y auiendo el dicho Gaspar Alfar dicho que lo avia oido y entendido, dixo que aquello era su dicho y el lo auia dicho segun se le auia leido y estaba bien escrito y /9/ y<sup>23</sup> asentado

Relacion Y hauiendo añadido algunas cossas que no hacen al proposito en la dicha su ratificacion, prosiguió en la manera siguiente.

Y con esto que a añadido, no auia mas que alterar, añadir, ni enmendar, porque como estaba scripto era verdad, y en ello se afirmaba y afirmo, ratificaba y ratifico, y siendo neccesario, lo dechia de nuevo contra el dicho negro, Luis, alias Luçindo, y no por odio, sino por descargo de su conciencia Y muy amonestado, fue mandado boluer a su carcel Y lo firmo. Gaspar Alfar Ante mi Licenciado Thomas Lopez de Erenchun

Otro dicho del mesmo en comunicaciones de carceles y cinco dias de el mes de mayo de mil y de los reos &<sup>24</sup> En la ciudad de Mexico, viernes, veinte seisientos y quarenta y seis años, estando en su audiencia de la mañana el señor inquisidor Licenciado Don Bernabe de la Higuera y Amarilla, mando traer a ella a Gaspar Alfar para proseguir en las declaraciones que ba haziendo azerca de las comunicaciones de carcel

Relacion Y hauiendo dicho y depuesto contra otras personas, dijo contra el negro, Luis, lo siguiente

Capítulo 4 "Y a este hombre no le he oido hablar ni esgarrar, que si le oyera, le conoçiera si e[í] era el que aqui estaba" Y Gonçalo<sup>25</sup> le dijo "Ay mas que asegurarnos, preguntarselo al

<sup>21</sup> Luis, alias Luçindo is underscored

<sup>22</sup> The final letter of this word appears to be o, but there is a hole burned in the MS at this point

<sup>23</sup> This is a guide word, a repetition of the last word or part thereof, from the preceding page. Guide words are found on many pages of the MS and have been transcribed as found

<sup>24</sup> Gonzalo Váez (Báez) was arrested, tortured, and freed in 1627. In 1649 he was examined for sanity and burned. Medina, *op. cit.*, pp. 149 and 199. González Obregón, *Méjico viejo*, p. 709, and "Causa Treviño," VI, 136, and VIII, 15.

Diclo Gonçalo a Ana Gomez que salga de su duda, preguntandose si negro Nota la respuesta

negro" Y Anna le dijo.<sup>22</sup> "No quiere responderme a nada, y no le dejan entrar solo aquí, que anda Pedro<sup>23</sup> y el otro viejo pegado con él, ni avn mirar cosa el desdichado"<sup>24</sup>

Y por ser tarde, ceso la audiencia Y que es la verdad, so cargo de el juramento que tiene fecho Y lo firmo Gaspar Alfar Ante mi Licenciado Thomas Lopez de Erenchun.

Otro dicho del mesmo

En la ciudad de Mexico a doce de junio de mil y seiscientos y quarenta y seis años, estando en su audiencia de la mañana el señor inquisidor Licenciado Don Bernabe de la Higuera y Amarilla, mando traer a ella a Gaspar Alfar /10/ para proseguir en las comunicaciones de carceles que desde la suya a oido Y siendo presente, le fue dicho que diga en todo verdad, so cargo de el juramento que tiene fecho

Relación Y prosiguiendo en sus declaraciones de comunicaciones de carceles, entre otros contra quienes depuso, fue contra Luis, negro, lo siguiente:

#### Capítulo 5

Y Gonçalo le dixo "Pide audiencia y que te den esta carcel adonde esta este sordo, que no lo tienen aquí por bueno, que tan rebelde esta como todos, que ayer lo deshonrro Cubillaga y no le quiso dar luz para comer" Y Anna Gomez le dijo "Yo oy el ruido; plegue a Dios que oregano sea"<sup>25</sup> Con todo eso hablo con miedo Y Leonor<sup>26</sup> le dixo "Calla, que le tube lastima al pobre, y quise pedir audiencia y subir arriba y decir a los señores qual lo avian puesto" Y Ana Gomez le dijo. "No estoy satisfecha, ni lo estare hasta satisfacerme

<sup>22</sup> Y Anna le dijo is underscored

<sup>23</sup> Probably Pedro de Cangas, assistant jailer of the secret prisons, mentioned in "Causa Treviño," VI, 135, and in "The Trial of Simon de León, 1647" (see Introduction, n 1), pp 61 f. No employee of the secret prisons was supposed to enter any cell alone Lea, *Hist Ing Spain*, II, 514-16

<sup>24</sup> The first *d* is written over what appears to be *dho*, and *ojo* appears in the margin.

<sup>25</sup> Plegue sea For interpretation of this expression, see *Real Academia Española, Diccionario de la lengua española*, 15th ed (Madrid, 1925), s v *oregano*, and *Dios*.

<sup>26</sup> Leonor Báez de Casteloblanco, sister of Gonzalo Báez, was reconciled in 1649 Medina, *op cit*, p 206, González Obregón, *Méjico viejo*, p 707, and "Causa Treviño," VIII, 15.

Que no<sup>so</sup> se satisfacia hasta informarse de su bujio, que era su negro y este Luis, el que seruia en las carceles

de mi bujio," (que quiere decir negro, que es Luis,<sup>31</sup> el que sirue en las carceles)<sup>32</sup> Y prosiguió diciendo a Leonor "Si tuuieres ocassion, preguntale quien es y como se llama, y si es sordo y judio, pues a todos nos importa"

Y por ser mui tarde, ceso esta audiencia para proseguir en otras las dichas comunicaciones de carceles. Y que es la verdad, so cargo de el juramento que tiene fecho, y lo firmo Conque fue mandado boluer a su carcel Gaspar Alfar Ante mi Diego Ortiz de Bargas Enmendado D—balga

Concuerda con las declaraciones originales que estan en el proceso de Diego Diaz y en el proceso y quaderno primero de comunicaciones de carceles de Gaspar Alfar a que me refiero, de donde las saque, a que me refiero En la ciudad de Mexico y camara de el secreto de esta Inquisicion a cinco dias de el mes de septiembre de mill y seiscientos y cincuenta y seis años

Martin Ybañez de Ochandiano [rúbrica]

Ratificación de Gaspar Alfar

En la ciudad de Mexico, viernes, seis días de el mes de jullio /11/ de mill y seiscientos y quarenta y seis años, estando en su audiencia de la mañana los sseñores inquisidores Doctor Domingo Velez de Asaz y Argos, y Licenciado Don Bernabe de la Higuera y Amarilla, mandaron traer a ella a Gaspar Alfar, de el qual, estando presentes por onestas y religiosas personas los padres Frai Diego de Segura y Frai Thomas de Salas, religiosos del Orden de Sancto Domingo, que tienen jurado el secreto, fue receuido juramento en forma, so cargo de el qual prometio decir verdad

Fuele dicho que se hace sauver que el señor fiscal de este Sancto Oficio le pressenta por testigo, ad perpetuan rei memorian,<sup>33</sup> y siendo necesario, en juicio plenario, contra las personas que a depuesto en este tribunal, de hauerlas oido hablar y comunicarse desde sus carceles, que este atento y se le leeran sus dichos, y si en ellos huiiere que alterar, añadir o enmendar, lo haga de manera que en todo diga verdad, y se

<sup>so</sup> MS. so

<sup>31</sup> *Bujio Luis* is underscored

<sup>32</sup> The closing parenthesis does not appear in the MS

<sup>33</sup> This procedure of reserving the right to use evidence, without further ratification, for a trial to be held in the future, is now at this time Lea, *Hist Ing Spain*, II, 545 f

afirme y ratifique en ella, porque lo que aora dijere parara perjuicio a las dichas personas Y luego le fueron leidos los dichos que dijo y depuso contra las dichas personas en las audiencias de veinte y cinco de mayo y doce de junio de este dicho año de seiscientos y quarenta y seis, en que depuso contra Luis, negro <sup>24</sup>

Relacion Y hauiendo nombrado otras muchas personas contra quienes depuso, entre ellas nombro al dicho Luis, negro, y se prosiguo en su ratificacion en la manera siguiente

Y siendole leidos todos de verbo ad verbum, y hauiendo el dicho Gaspar de Alfar<sup>25</sup> dicho que los avia oido y entendido, dixo que aquellos eran sus dichos y el los avia dicho segun se le auian leido, y estaban bien escritos y asentados y no auia que alterar, añadir, ni enmendar porque como estaba escrito era verdad Y en ellos se afirmaba y afirme, ratificaba y ratifico, y siendo necesario, lo decia de nuevo contra el dicho Luis, negro, y no por odio, sino por descargo de su conciencia <sup>26</sup> Y lo firmo, conque fue /12/ mandado boluer a su carcel

Gaspar Alfar Ante mi Diego Ortiz de Bargas

Concuerda con la ratificacion original que esta en el primero quaderno de los<sup>27</sup> de las declaraciones de comunicaciones de carcel de el dicho Gaspar Alfar, de don[de] lo saque, a que rrefiero En el Santo Oficio de esta ciudad de Mexico a siete dias de el mes de septiembre de mill y seiscientos y cincuenta y seis años

Mar[tin] Ybañez de Ochandiano [rúbrica] /13/

Testigo 2

Joseph de Zarate contra Luis negro, siruiente que fue en las carceles

Ratificuese

Ya se <sup>28</sup>

En la ciudad de Mexico a dos dias de el mes de mayo de mill y seiscientos y cincuenta y seis años, ante el sseñor inquisidor vissitador Doctor Don Pedro de Medina Rico, parecio de su voluntad vn hombre mozo que dijo llamarse Joseph de Zarate, vezino de dicha ciudad en las casas de Alonso de Auiles en el barrio de la parroquia de la Sancta Vera Cruz, cerca de las cassas donde vive el sseñor vissitador, de el qual fue

<sup>24</sup> After *negro*, what appears to be *luego* is written and crossed out

<sup>25</sup> MS *Alfarar*

<sup>26</sup> MS *conciencia*

<sup>27</sup> MS *las*

<sup>28</sup> This is in a different hand from *ratificuese*. The ratification, MS, p. 16, is for May 4 and 12, instead of May 2

receudo juramento em forma. So cargo de el, prometio de decir verdad en todo y de guardar secreto, y que viene a declarar para descargo de su conciencia algunas cossas tocantes a ella, con grande dolor de haver ofendido a Dios Nuestro Señor y com proposito de enmendarse y pedirle misericordia.

Y es que este nacio de Juana de Zarate, muger soltera que servia a Maria de la Paz Siliceo, vecina de esta dicha ciudad, viuda de Juan Sanchez de Bargas, vecino que fue de esta dicha ciudad, que lo hubo en dicha su madre Juan Sanchez, vecino de esta dicha ciudad, que fue por soldado a Porto Rico, y despues vino y paso a Philipinas Y assi este se crio en casa de la dicha Maria de la Paz en la calle de los Mesones en el barrio de San Juan Y por muerte de la dicha Maria de la Paz, lo dejó encomendado a Doña Maria de Zarate, su hija, que al pressente es muger de Francisco Botello, vecino, que al pressente es de la villa de Tacubaya, que esta cerca de esta ciudad, el qual Francisco Botello fue castigado por el Sancto Oficio de esta ciudad por sospechoso en la fee, de suerte que este nacio por julio de mill y seiscientos y treinta y quattro, y murió la dicha Maria de la Paz por el año de seiscientos y quarenta y tres o seiscientos y quarenta y quatro despues que fue preso por el Sancto Oficio el dicho Francisco Botello Y tiene noticia que el dicho Francisco Botello caso con la dicha Doña Maria de Zarate por el año de mill y seiscientos y treinta y cinco, poco mas o menos

Y como muchacho no pudo hacer este reparo en las cossas que hacian el dicho Francisco Botello, ni su muger, ni los de su casa por su falta de capacidad, pero que despues que dicho Francisco Botello fue preso en el Sancto Oficio, comenzó este a reparar en algunas cossas que dejó la dicha Doña Maria de Zarate, su muger, etcetera /14/

Relacion Este testigo depuso contra<sup>13</sup> si de su voluntad ante el señor inquisidor visitador Doctor Don Pedro de Medina Rico, en dos dias del mes de mayo deste año de mill y seiscientos y cincuenta y seis y contra<sup>14</sup> Francisco Botello, Doña Maria de Zarate, su muger, el bachiller Baltasar de Burgos, Josepha Ruiz, Duarte de Torres, Jorge Serrano<sup>15</sup> y

<sup>13</sup> MS contra

<sup>14</sup> Contra is written over another word not legible

<sup>15</sup> Josefa Ruiz, a mestiza, was the wife of Duarte de Torres I find no evidence that she was arrested by the Inquisition Her husband was reconciled in 1647 See Genaro Garcia, *op. cit.*, XXVIII, 105 f, and Jiménez Rueda, *op. cit.*, p 129. Jorge Espinosa, alias Jorge Serrano, was sentenced to 200 lashes, service in the galley, and exile to Spain in 1639 by the Inquisition of Lima He escaped to

Luis, el negro, y con muestras de dolor y arrepentimiento, p[er]diendo misericordia de los delictos cometidos en los ritos y ceremonias que avia echo en obserbança de la muerta Ley de Moises, y de todo lo que havia visto decir y hacer a las dichas personas Y entre ellas y otras cossas depuso contra Luis, negro, lo siguiente:

*Capítulo 1*

*Sefias de la persona de Luis.* Maria de Zarate tenia cuidado que vn negro nombrado Luis, que no era ladino y era alto, que servia en dichas carceles secretas en llebarles la comida, viniessese a berla a menudo y le decia

Que daba avisos de lo que passaba en las carceles con Botello y otros Y le dio del dia del tormento y que nego en el.

Y tanvien se acuerda que la dicha Doña lo que pasaba acerca de su marido y de otros presos, el qual dicho negro le daba razon de todo lo que passaba, y le dio aviso de el dia en que daban tormento al dicho su marido y como auia negado

*Capítulo 2*

Y la dicha Doña Maria de Zarate soha regalar al negro con algun dinero y le solia dar algunas cossas que le metiesse en su carcel, como poluos de tabaco y algun regalo Y que el aviso de el tormento fue despues de habersele dado, y no sabe que le previniesen con cossa alguna para el, y que no sabe en cuio poder para dicho negro, pero que a pocos dias que le vio este declarante bestido de librea berde con cabos de tela morada y platta, y le uio en la calle de señor Francisco<sup>43</sup>

Relacion Y haviendo dicho otras cossas en el discurso de esta audiencia primera que no hacen ni tocan al dicho Luis, negro, se acabo esta audiencia en la manera siguiente

Y que no tiene noticia de los padres de su padre, ni de su madre, solo hauer oydo decir que auian nacido en aquella cassa de la dicha Doña Maria de la Paz, suegra /15/ de el dicho Francisco Botello, y oyo siempre decir que sus padres y abuelos fueron siempre gente christianisima y enemigos de los que no eran christianos Y que este esta casado con Ana de la Serna, hija de Juan de la Serna, escriuano publico, Guatitlam,<sup>44</sup> que ya es difunto, y de Ana de la Paz que oy viue con Antonio

Mexico, changed his name, and became a public official in the district of Cuauhtemoc. He was evidently rearrested in Mexico, for he was in prison after the *cuto* of 1649 Cf Medina, *op. cit.* p. 268, and his *Historia del Tribunal del Santo Oficio de la Inquisicion de Lima, 1569-1820* (2 vols., Santiago de Chile, 1887), II, 138.

<sup>43</sup> Today, Avenida Francisco I Madero Gonzalez Obregon, *The Streets of Mexico*, translated by Blanche Collet Wagner (San Francisco, 1937), p. 2.

<sup>44</sup> On this place, see Cuevas, *op. cit.*, I, 172, and *Diccionario universal de historia y de geografia* (10 vols., Mexico, 1853-56), VIII, 737

Pinto, cuñado de este, en el barrio de San Juan de esta ciudad Y que tiene dos hijos, vna hija llamada Juana, de edad de poco mas de dos años y medio, y el hijo se llamaba Lucas, de edad de seis meses , y que lo que tiene dicho es la verdad para el juramento fecho , y que es de edad de veinte y tres años, poco mas o menos Y siendole leydo, dijo estar bien escrito y lo firmo Joseph de Zarate Paso ante mi Don Marcos Alonso de Huydobre,<sup>44</sup> secretario Enmendado y contrabalgá

Concuerda con la declaracion original que esta en el proceso y causa de Francisco Botello, de donde lo saque, a que me refiero Y de ello doy fe en el Santo Oficio de esta ciudad de Mexico a veinte dias del mes de mayo de mill y seiscientos y cincuenta y seis años

*Martin Ybañez de Ochandiano [rúbrica]*

Ratificación En la ciudad de Mexico, trece dias del mes de julio de mill y seiscientos y cincuenta y seis años, estando en su audiencia de la mañana el señor inquisidor Doctor Don Francisco de Estrada y Escouedo, mando entrar en ella a Joseph de Çarate, del qual, estando presentes por honestas y religiosas personas los padres Fray Thomas de Salas y Fray Diego Piquero del Orden de el señor Sancto Domingo, presuiteros que tienen jurado el secreto, fue recibido juramento en forma, so cargo de el qual prometio de decir verdad

Preguntado si se acuerda haver depuesto alguna cossa ante algun juez contra alguna persona sobre cossas tocantes a la ffee, dixo que se acordaua haver declarado ante el señor inquisidor visitador Don Pedro de Medina Rico, algunas cossas contra si y contra /16/ Francisco Botello, Doña Maria de Zarate, su muger, Josepha Ruiz y Duarte de Torres,<sup>45</sup> su marido, el bachiller Baltasar de Burgos<sup>46</sup> y Ana Gomez,<sup>47</sup> su madre, Jorge Serrano, Jorge de Espinossa , el negro, Luis, Geronimo Nuñez de Rojas, Manuel de Mella y otros castigados por este Santo Oficio, que no saue sus nombres , Maria y Baltasar de el Valle, Juan Mendez, sastre , Jorge de Montilla, Francisco Lopez Fonseca, Melchor

<sup>44</sup> Huidobro (1584-1669) came to Mexico as secretary of the Holy Office with Medina Rico in 1654 *Hist Inq México*, pp 236 and 317

<sup>45</sup> MS Tavares

<sup>46</sup> MS Bargos

<sup>47</sup> Ana Gomez Botello, wife of Simón de Burgos, was reconciled in 1649, not to be confused with Ana Gomez, mother of Inés Pereira See Medina, *Hist Inq México*, p 166

Rodriguez, Francisco Gomez de Medina, Juan de Leon y Francisco Febo<sup>44</sup> Y rrefirio en sustancia lo que asi tiene declarado y pidio se le leyesse

Fuele dicho que se le hace sauer que el promotor fiscal de este Sancto Oficio le presenta por testigo<sup>45</sup> contra los dichos Francisco Votello, Doña Maria de Zarate, su muger, y los demás contra quienes tiene declarado, que este atento y se le leeran sus dichos y si en ellos tuviere que alterar, añadir o enmendar, lo aga de manera que en todo diga verdad y se afirme y ratifique en ella, porque lo que aora dijere, a de parar perjuicio a lo dicho, los susodichos

Y luego le fueron leydos las deposiciones que hico dicho señor inquisidor vissitador en los quattro y doce del mes de mayo de este pressente año de cinqüenta y seis, todas de verbo ad verbum Y hauiendo el dicho Joseph de Zarate dicho que los hauia oydo y entendido, dixo que aquellos eran sus dichos y el los hauia dicho segun se le auian leydo y estauan bien escritos y asentados y no hauia que añadir, alterar, ni enmendar, porque como estauan escritos,<sup>46</sup> era la uerdad y en ello se afirmava y afirmo, ratificaua y ratifico ad perpetuam rey memoriam, y en caso necesario em plenario juicio, y siendo necesario lo decia de nuevo contra todos los susodichos, y no por odio, sino por el descargo de su conçuencia Y lo firmo Conque fue mandado salir de la audiencia Joseph de Zarate Ante mi Evgenio de Sarauia Testado ad perpetuam rey memoriam, y asentados—no balga

<sup>44</sup> On Serrano and Espinoosa, see n 41, Nunez de Rojas, alias Roxas Soltero, was reconciled in 1646 Cf González Obregón, *Méjico viejo*, p 694, and Genaro García, *op cit*, V, 156, and XXVIII, 54 f., Mella was sentenced to lashes, confiscation of goods, and perpetual prison in 1648 Medina, *Hist Inq Méjico*, p 184, and Genaro García, *op cit*, XXVIII, 239-42 Both 1632 and 1635 are given as the date of reconciliation of Baltasar Díaz del Valle Cf Medina, *Hist Inq Méjico*, p 165, and González Obregón, *Méjico viejo*, p 692 I have found no reference to María del Valle Méndez was reconciled in 1648 See Medina, *Hist Inq Méjico*, p 184, and Genaro García, *op cit*, XXVIII, 189 Jorge Ramírez de Montilla was fined and exiled in 1648 See Medina, *Hist Inq Méjico*, p 184, and Genaro García, *op cit*, XXVIII, 190-92 Lopez de Fonseca was reconciled in 1649 with confiscation of goods Medina, *Hist Inq Méjico*, p 197 On Rodriguez (de Huerta or Lopez), cf Medina, *Hist Inq Méjico*, pp 202 and 261, and Genaro García, *op cit*, XXVIII, 192-94 Gomez de Medina was exiled in 1649 Medina, *Hist Inq Méjico*, p 196 For Juan de León, see "Causa Treviño," VIII, 13 I have found no evidence that Febo was arrested by the Inquisition

<sup>45</sup> After *testigo, ad perpetuam rey memoriam* is written and crossed out *Ojo* appears in the margin

<sup>46</sup> After *escritos, y asentados* is written and crossed out *Ojo* appears in the margin

Concuerda con la ratificación original que está en el proceso de Francisco Botello de donde los saque, a que me refiero. Enmendado a primero de abril de seiscientos y cincuenta y ocho

*Martin Ybañez de Ochandiano [rúbrica] /17/*

Barbara de la Cruz, negra. En el Santo Officio de la Inquisición de la ciudad de México, domingo, dos días del mes de noviembre de mil y seiscientos y cincuenta y nueve años,<sup>11</sup> estando en su audiencia de la mañana el señor inquisidor Doctor Don Pedro de Medina Rico, viajador de este tribunal, mando entrar en ella a una negra que viene llamada; de la qual estando presente, fue requerida juramento en forma debida de derecho, so cargo del qual prometió decir verdad y de guardar secreto. Y dixo llamarse Barbara de la Cruz, negra de casta matamba, esclava, que al presente es de Juan [Juo] de Sarzinas, sastre, vecino de esta ciudad a la calle del Relox,<sup>12</sup> y ante[s] era esclava de Don Juan [Juo] de Cervantes, vecino de esta ciudad, y antes lo ayudo de Francisco Botello y de Doña María de Carate, su muger; que el dicho Francisco Botello compro a esta luego que fue traída bozal de Guinea, y quedó esclava en su cassa con Doña María de Carate, su muger, quando el susodicho fue preso ya muchos años en este Santo Officio. Y después que el dicho Francisco Botello salio de la prisión de este Santo Officio, vendio a esta y a su marido, Anton de la Cruz, que ahora viene con ella, y vendio a esta al dicho Don Juan de Cervantes, y al dicho su marido, vendio a Doña Cathalina de la Cadena, y que no saue la hedad que tiene. Y parecio por su aspecto ser de edad de quarenta 40 años años, poco mas o menos

Preguntada si saue o presume la caussa para que a sido llamada a este Santo Officio, dixo que no la saue ni la presume /18/

Preguntada si saue o a entendido en qualquiera manera que alguna persona o personas ayan dicho o ayan hecho alguna cosa que sea o parezca ser contra nuestra Santa Fee Catholica, Ley Ebangelica, que tiene y enseña nuestra Santa Madre Iglesia Catholica Romana, o contra el recto y libre exerçio de este Sancto Officio, dixo que no saue cosa alguna de las contenidas en la pregunta.

<sup>11</sup> Note this late attempt, four years after Luis' arrest, to get further evidence against him. See MS, p 71, second marginal note

<sup>12</sup> Today, calle de la República Argentina González Obregón, Streets of Mexico, p 99

<sup>13</sup> After ante, the page is torn

Fuele dicho si saue que estando vna perssona pressa en este Santo Officio, vn negro que seruia en las cargeles secretas acostumbraba yr a cassa de la dicha perssona pressa a ber a su muger y a otro pariente de su marido, y que con efecto, los besa y hablaba

Dixo que no a sauido ni entendido cossa alguna de las contenidas en la pregunta, y esto responde.

Fuele dicho que en este Santo Officio consta que estando el dicho Francisco Botello presso en este Santo Officio desde el año de quarenta y dos, hasta el año de quarenta y ocho, vn negro que seruia en las cargeles secretas de este Santo Officio y al dicho Francisco Botello, solia yr a ber a Doña Maria de Çarate, su muger, y a Balthassar de Burgos, sobrino de dicho Francisco Botello, y se entraban los dos con el en vna sala baja y hablaban ambos con dicho negro. Y quando se queria yr, le daban chocolate e yba con el a la coçina /19/ donde esta estaba, y lo hacía y bebia, que se le encarga por reberencia de Dios Nuestro Señor y de su gloriessa y bendita madre, Nuestra Señora la Virgen Maria, recorra su memoria y diga la verdad

Dixo que no saue cossa alguna de las contenidas en la pregunta, ni que perssona alguna de las de este Sancto Officio, negro o blanco, fuesse a veer por el tiempo que en la pregunta se dice, a Balthasar de Burgos ni a Doña Maria de Çarate, ni esta lo vio, ni lo supo, ni otra cossa tocante a la pregunta

Fuele dicho si conoce a vn negro llamado Luis de la Cruz, alto de cuerpo, que fue esclauo de Gaspar Albarez<sup>4</sup>y de Ana Gomez, su muger, prima hermana del dicho Francisco Botello, el qual llamaba a dicho negro, padre, y si saue que dicho negro, estando presso el dicho Francisco Botello, o despues de suelto, fuesse a ver dicho negro a dicha Doña Maria de Çarate

Dixo que no conocio ni a visto al dicho negro porque ella, en el tiempo que estaba en cassa de dicho Francisco Botello y de su muger, era muy bozal como regien traída de Guinea, y no conocio ni reparaba, ni saua andar las calles, y que esto es la verdad por el juramento que tiene fecho. Y hauiéndosele leido este su dicho, dixo estar bien escrito, /20/

<sup>4</sup> A Portuguese merchant, not to be confused with Gaspar Alvarez, uncle of Tomás Treviño Cf Medina, *Hist Inq México*, p 166, Cuevas, op cit, III, 167-69, and "Causa Trevino," VII, 102

y no firmo porque no sabia escreuir, segun dixo Firmolo el dicho señor inquisidor vissitador Conque fue mandada salir de la audiencia

**Doctor Don Pedro Medina Rico [rúbrica]**

## **Passo ante mi**

## Bartolome de Galdiano [rúbrica]

Anton de la Cruz, negro, 50 E luego, incontinenti, dicho dia, mes y  
años año dichos en el dicho antecedente, el dicho  
señor inquisidor vissitador mando entrar en ella a vn negro que viene  
llamado, del qual, siendo pressente, fue receuido juramento en forma  
devida de derecho, so cargo del qual prometio de decir verdad y de  
guardar secreto de lo que dixere

Y dixo llamarse Anton de la Cruz, negro esclauo de Doña Cathalina de la Cadena, vezina de esta ciudad, y que antes fue esclauo de Francisco Botello, vezino tambien de esta ciudad, que lo compro muchos años a, no saue el quantos, pero saue que lo compro antes que el dicho Francisco Botello fuese presso en años passados por este Santo Officio Y sirvio este a su muger, Doña Maria de Paz, todo el tiempo que el dicho Francisco Botello estubo presso, y despues que dicho Francisco Botello salio de la prission de este Santo Officio, vendio a este a Doña /21/ a Doña Cathalina de la Cadena, y a su muger, Barbola, la vendio a Doña Mariana de la Cadena, hija de la dicha Doña Cathalina, que cassó la dicha Doña Mariana con Don Juan [Juo] de Cervantes y que no saue ni a entendido en manera alguna que el dicho Francisco Botello, ni la dicha Doña Maria, su muger, tuviessen otro esclauo o esclaua alguno, mas que a este y a su muger, en todo el tiempo que este y su muger fueron esclauos de los sussodichos Y que es de hedad a su parecer, aunque no lo saue, de cinqüenta años Y por su aspecto, parecio ser de dicha hedad, poco mas o menos

Preguntado si saue o presume la caussa para que a ssido llamado a este Santo Officio, dixo que no la saue ni la presume

Preguntado si a sauido o entendido en qualquiera manera que alguna perssона o perssonas aian dicho o aian hecho alguna cossa que sea o parezca ser contra nuestra Santa Fee Catholica, Ley Ebangelica que sigue y enseña nuestra Santa Madre Yglessia, o contra el recto y libre exercicio del Sancto Officio, dixo que no la saue ni la presume

Fuele dicho si a sauido o entendido que, estando presso en este Santo Oficio cierto hombre, vn esclauo que seruia a dicho hombre y a los

demas presos, acostumbraba yr a cassa de la muger de dicho hombre  
presso /22/

Dixo que no a sauido ni entendido cossa alguna de las contenidas en  
la pregunta

Fuele dicho que en este Santo Officio consta que, estando presso  
en sus carceles secretas dicho Francisco Botello en años passados, seruia  
al dicho Francisco Botello presso, y a los demas pressos en dichas car-  
celes secretas, vn negro alto llamado Luis de la Cruz, que fue esclauo de  
Gaspar Albarez y Ana Gomez, su muger, prima hermana de dicho Fran-  
cisco Botello, y por ello, el dicho Francisco Botello y Doña Maria, su  
muger, conoçian y tenian amistad con dicho negro, Luis, y le llamaban  
padre Y el dicho negro, Luis, estando presso el dicho Francisco Botello,  
solia yr a veer a dicha su muger, Doña Maria, y que ella y Balthassar de  
Burgos, que vivia con ella, y era sobrino de dicho su marido, se entraban  
con dicho negro en vna sala, y estaban combersando, y quando dicho  
negro, Luis, se queria yr, le daban chocolate que yba a haçer a la coçina  
adonde estaua su muger de este Que por reberencia de Dios Nuestro  
Señor y de su gloriessa y bendita madre, Nuestra Señora la Virgen  
Maria, se le amonesta y encarga, recorra bien su memoria y diga la  
verdad

Dixo que no conoce ni a conoçido en manera alguna el negro por  
quien se le pregunta, /23/ ni supo ni entendio que negro alguno que  
siruiesse en este Santo Officio fuesse a ver a dicha Doña Maria, estando  
presso su marido, ni otra cossa alguna, porque el seruia de vender agua  
por las calles y se yba por la mañana y a medyo dia solo venia a comer, y  
luego se yba hasta la noche, y assi, no lo vio ni lo conoçio quando traia a  
este Santo Officio la comida al dicho Francisco Botello, que se la trajo  
por mucho tiempo, que puede ser que entonces viesse a dicho negro, pero  
que ni supo quien era, ni como se llamaba, ni vio que el ni otro que tu-  
viesse dependencia de este Santo Officio fuessen a ver a dicha Doña  
Maria Y que esto es la verdad para el juramento que tiene hecho Y  
hauiendosele leido, dixo estar bien escrito y no firmo porque dixo no  
sauer firmar Firmolo el dicho señor inquisidor vissitador, conque fue  
mandado salir de la audiencia

Doctor Don Pedro Medina Rico [rúbrica]

Passo ante mi

Bartolome de Galdiano [rúbrica] /24/ [blank] /25/

Votos de prisión contra Luis, negro, esclavo del conde de Peñalva. En la ciudad de Mexico, diez días del mes de mayo de mil seiscientos y sinquenta y seis años, estando en audiencia de la tarde,<sup>44</sup> en vista de prosessos los señores inquisidores, Doctores Don Pedro de Medina Rico, bisatador, Don Francisco de Estrada y Escouedo y Licenciado Don Bernaue de la Higuera y Amarilla, se vio la causa fulminada contra Luis, negro, esclavo de el conde de Peñalva,<sup>45</sup> y conformes fueron de pareser que el sussodicho sea presso y puesto en carcel secreta donde se siga la causa con el, conforme a derecho. Así lo acordaron y firmaron Doctor Don Pedro de Medina Rico, Doctor Don Francisco de Estrada y Escouedo, Licenciado Don Bernaue de la Higuera y Amarilla. Paso ante mí Eugenio de Sarauia.

Concuerda con su original que esta en la camara del secreto en el libro de votos a ffoxas siento y sinquenta y ocho

Eugenio de Sarauia [rúbrica] /26/ [blank] /27/

Mandamiento de prisión contra Luis, negro, esclavo la herética prauedad y apostacia en todos los reinos y señorios de Su Magestad de la Nueva España etcetera, mandamos a vos, Eugenio de Sarauia, secretario de este Santo Oficio que exerceis officio de algwacil mayor del, que luego que este nuestro mandamiento sea en buestro poder, bais a la cassa y morada del conde de Peñalva y a otras qualesquier partes y lugares que fuere necesario y prendais el cuerpo de Luis, negro, vezino de esta ciudad dondequiera que lo hallaredes, aunque sea en yglessia, monasterio v otro lugar sagrado, fuerte o priuilegiado, y assi presso y a buen recaudo, le traed a las carceles de este Santo Oficio y lo entregad al alcalde de ellas, al qual mandamos le reciua de vos, y lo tenga presso y al dicho buen recaudo, y no le de suelto ni en fiado sin nuestra licencia y mandado. Y con la persona del sussodicho traireis su cama de ropa y de vestir de que neçesitare. Y si para cumplir y executar lo contendio en

<sup>44</sup> After tarde, los señores is written and crossed out

<sup>45</sup> Don García de Valdés Osorio y Alzate, second Count of Peñalva. The first holder of this title was Don García de Valdés Osorio, governor of Yucatán (1659-62), assassinated under mysterious circumstances. The *Encyclopédia universal ilustrada* (Espasa) states that this title was created in 1632. Cf Ricardo Ortega y Pérez Gallardo, *Historia genealógica de las familias más antiguas de Méjico*, 3rd ed (3 vols., Mexico, 1908-10), II, xxxvii; Eligio Ancona, *Historia de Yucatán*, 2nd ed (5 vols., Barcelona, 1889), II, 247-51, and Guijo, op. cit., pp. 87, 108, 348, and 430.

este nuestro mandamiento, tuvieredes necessidad de fauor y aiuda, exhortamos, requerimos, y si es necessario en virtud de sancta obediencia y so pena de excomunión mayor, late sententie tripla canonica monitione premissa, y de quinientos ducados para los gastos extraordinarios de este Santo Officio, mandamos a todos y cualesquier jueces y justicias, así eclesiasticas como seculares de los reinos y señorios de Su Magestad que siendo por vos requeridos, os den y hagan dar todo el fauor y aiuda que les pidieredes y huvieredes menester Fecho en Mexico y sala de nuestra audiencia a diez dias del mes de mayo de mil seiscientos y cincuenta y seis años

Doctor Don Pedro Medina Rico [rúbrica]

Doctor [D]on Francisco de Estrada y Escouedo [rúbrica]

Doctor Don Juan [Juo] Saenz de Mañozca [rúbrica]

El Licenciado Don Bernabe de la Higuera y Amarilla [rúbrica]

Por mandado del Santo Officio

Evgenio de Sarauia [rúbrica]<sup>\*\*</sup>

En Mexico, doze dias del mes de mayo /28/ de mil seiscientos y sinuenta y seis años, yo el presente secretario que hago officio de alguasíl mayor, prendí a la persona de Luis, negro, esclavo de el conde de Peñalua, y le entregue por preso de este Santo Officio a Cristobal [Xpoual] Muñoz de Manzilla, alcaide, el qual se dio por entregado del, y lo firmo

Evgenio de Sarauia [rúbrica]

Cristobal [Xoval] Muñoz de Mansilla

Cala y cata.

E luego, yncontinenti, hauendolo acordado el dia antes, los señores inquisidores Doctores Don Pedro de Medina Rico, Don Francisco de Estrada y Escouedo, Don Juan Saenz de Mañozca y Licenciado Don Bernaue de la Higuera y Amarilla, le puso preso en la carsel secreta, numero,<sup>\*\*</sup> y antes de entrar en ella se le cato y miro su persona y no se le hallo cosa alguna de las prohibuidas, solo vn real que se entrego a el alcaide, y se le encargo el secreto y modestia con que deue estar y<sup>\*\*</sup> lo prometio Y dello doy ffee Testado dell

Evgenio de Sarauia [rúbrica] Cristobal [Xoval]  
Munoç de Mansilla

<sup>\*</sup> A seal has been torn out of the lower left corner of the MS

<sup>\*\*</sup> After numero, a space has been left for the number 4, omitted

<sup>\*\*</sup> After y, del is written and crossed out.

Los dichos señores inquisid[ores]<sup>50</sup> [estando] en audiencia de la mañana [dic]ho dia, mes y año, señalaron de rasion ordinaria /29/ ordinaria a este reo dos reales p[u]ra cada dia y lo señalaron

[4 rúbricas]<sup>51</sup>

Ante mi

Evgenio de Sarauia [rúbrica] /30/ [blank] /31/

1<sup>a</sup> audiencia.

En el Sancto Oficio de esta ciudad de Mexico a diez y seis dias del mes de mayo de mill y seiscientos y cincuenta y seis años, estando en su audiencia de la mañana el señor inquisidor vissitador Doctor Don Pedro de Medina Rico, mando traer a ella de las carceles secretas vn hombre del qual,<sup>52</sup> estando pressente, fue rec[e]uido juramento en forma deuida de derecho, so cargo de el qual prometio de decir uerdad, asi en esta audiencia como en las demás que con el se tuuieren asta la determinacion de su causa, y de guardar secreto de todo lo que viere y entendiere y con el se tratare y pasare sobre su negocio o en otra qualquiera manera

Preguntado como se llama, de donde es natural, que hedad y oficio tiene, y quanto ha que vino preso, dijo que se llama Luis de la Cruz, negro, y que es natural de Angola y que es esclavo del conde de Peña Alba, vezino de esta ciudad y dijo no saber que hedad tiene, pero segun su aspecto, parecio ser de mas de cincuenta años, y que en casa de su amo, sirbe de barrer la cassa y acarrear agua, y que fue preso en este Sancto Oficio el uierne proximo passado

Padres

Dijo que su padre era negro de Angola y que se llamaba Cabangua y su madre se llamaba Sinchi

Abuelos paternos

Dijo que no sabe quienes fueron ni como se llamaron

Abuelos maternos

Dijo que no sabe quienes fueron ni como se llamaron

Tios, hermanos de padre y madre

<sup>50</sup> The last part of this word, all but the *o* of the next, and *dic* of *dicho*, following, were torn out with the seal mentioned above in n 57

<sup>51</sup> The four *rúbricas*, in order, are those of Medina Rico, Estrada y Escobedo Sáenz de Mañozca, and Higuera y Amarilla

<sup>52</sup> MS quando

Dijo que no sabe quienes fueron ni como se llamaron  
Hermanos de este

Dijo que tiene dos hermanos en Angola, que el uno se llama  
Mumgá y el otro Nangai /32/  
Mujer e hijos

Dijo que es casado con una negra llamada Esperança Maria, esclava  
del Licenciado<sup>\*\*</sup> Bueno, presuitero, y no tiene hijos

Preguntado si a estado preso otra vez en el Sancto Oficio de la  
Inquisición, dijo que no a estado preso

Preguntado si es cristiano baptizado y confirmado y si oye misa,  
comfiessa y comulga en los tiempos que manda la Sancta Madre  
Yglessia, dijo que es cristiano baptizado, que lo fue en estos reinos en el  
lugar de Esquipula,<sup>\*\*\*</sup> conuento de frailes agustinos, siendo ya grande,  
que no sabe quantos años abra, y que lo baptizo un fraile agustino y que  
fue su padrino un negro mandinga,<sup>\*\*\*\*</sup> esclavo de Francisco Balbo, de  
quien era Y tanuien allí fue confirmado por un obispo de esta ciudad  
en dicho lugar, y que siempre a tenido costumbres de oyr misa, pudiendo  
hacer, y comfiessa todos los años y comulga, y la ultima vez que  
comfeso fue esta quaresma proxime passada con un clérigo de la  
Yglessia Mayor de esta ciudad, que no sabe como se llama, y le dio  
cedula que le llebo a su amo, y que comulgo en el Sagrario de la  
Yglesia Cathedral<sup>\*\*\*\*\*</sup> de esta ciudad

Signose y santiguose y dijo el Padre Nuestro y Ave María vien  
dichos, y dijo que yba aprendiendo el Credo y la Salve, y no supo otra  
cosa de la doctrina cristiana

Preguntado si sabe leer y escribir o a estudiado algo, dijo que no  
sabe leer ni escribir<sup>\*\*\*\*\*</sup> ni a estudiado

Preguntado si a salido de estos reinos de Indias y con que personas,  
/33/ dijo que desde su tierra fue traído a estos reinos i no a sido de ellos

Preguntado por el discurso de su vida, dijo que fue traído a estos  
reinos y en la Vera Cruz lo compro Francisco de Bargas<sup>\*\*\*\*\*</sup> que ya murio,

<sup>\*\*</sup> MS *Licenciado*

<sup>\*\*\*</sup> Ixmiquilpan Cf Cuevas, *op cit*, II, 163, n 9, and 333, and III, 167

<sup>\*\*\*\*</sup> The *n* before *g* is written over another *g*

<sup>\*\*\*\*\*</sup> MS *Cathedral*

<sup>\*\*\*\*\*</sup> MS *escribir*

<sup>\*\*\*\*\*</sup> I have found no record of this man The father of Inés Pereira, and  
first husband of Ana Gómez, was Gaspar Álvarez See n 54

y quedo en poder de vna hija sua llamada Ynes Pereira, que despues fue presa en este Sancto Oficio, y este quedo sirviendo en este tribunal en las carceles secretas de el, ayudando al alcaide en lo que le mandaba, en que se ocuparia catorce años, y que despues, suiendo benido el señor ynquisidor uisitador, lo mando vender<sup>\*\*</sup> y lo compro el conde de Peña Alba; y que no a tenido trato ni comunicacion con persona alguna de amistad o por asiento

Preguntado si sabe, presume o sospecha la causa por que a sido preso y traído a las carceles de este Sancto Oficio, dijo que no la sabe ni la presume en manera alguna

1<sup>o</sup> monition

Fuele dicho que en este Sancto Oficio no se acostumbra a prender persona alguna sin bastante ymformacion de haber dicho, echo y cometido o visto hazer, decir y cometer a otras personas alguna cosa que sea o parezca ser contra nuestra Sancta Ffee Catholica y Lei Evangelica que tiene, predica, sigue y enseña la Sancta Madre Yglessia Catholica Romana o contra el recto y libre exercicio de el Sancto Oficio, y asi debe creer que con esta ymformacion, abra sido preso Por tanto, por reberencia de Dios Nuestro Señor y de su gloriosa y bendita madre, Nuestra Señora la Uirgen Maria, se le amonesta y encarga recorra su memoria y diga y confiesse enteramente berdad de lo que se sintiere culpado o supiere de otras personas que lo sean, sin encubrir de si ni de ellas cosa /34/ alguna ni levantarse a si ni a otros falso testimonio, porque aziendolo assi, descargara su conçiençia como catholico christiano y salbara su anima, y su causa sera despachada con toda la brebedad y misericordia que huuiere lugar, donde no, se probeera justicia

Dijo que no se acuerda en manera alguna de cosa que aya echo contra nuestra Sancta Ffee ni contra el Sancto Oficio, ni sabe que otra persona lo aya echo y cometido en manera alguna

Y siendole leido lo que a dicho en esta audiencia, dijo que estabe uien escrito y el lo dijo, y es uerdad y no ay en ello que enmendar, y si es necesario, lo dice de nuevo Y amonestado que lo piense uien y diga

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<sup>\*\*</sup> The property of unprisoned persons was seized by the Inquisition and held until pronouncement of the sentence. If the latter included confiscation (as it did in this case), the property was sold, and the proceeds were turned over to the treasury of the Holy Office Lea, *Hist Inq Spain*, II, 495-96

enteramente verdad, fue mandado boluer a su carçel y por no auer firmar, lo firmo el sseñor ynquisidor vissitador

Doctor Don Pedro Medina Rico [rúbrica]

Ante mi

Martín Ybañez de Ochandiano [rúbrica]

Y antes de yrse dijo que no tenia freçada ni colchon en que dormir, que se le diese algo para ello Y el sseñor inquisidor vissitador mando al alcaide que le diese el colçhon y freçada que quedo por muerte de Don Joseph Bruñon,<sup>10</sup> preso que fue en las carceles secretas de este Santo Oficio Y dicho alcaide, estando presente, prometio de hacerlo asi; de que soy ffee

Paso ante mi

Martín Ybañez de Ochandiano [rúbrica]

#### Audiencia 2

En el Santo Oficio de la Inquisicion de esta ciudad de Mexico a /35/ primero de junio de mil seiscientos y cincuenta y seis años, estando en su audiencia de la mañana el sseñor inquisidor Doctor Don Pedro de Medina Rico, visitador deste tribunal, mando traer a ella de las carceles secretas a el dicho Luis de la Cruz, negro Y siendo presente, le fue dicho que es lo que a acordado en su negocio, y so cargo del juramento que tiene hecho, diga en todo verdad Dixo que no se a acordado de cosa alguna que deba decir

#### 2<sup>a</sup> monición

Fuele dicho que<sup>11</sup> sabe que en la audiencia pasada se le amonesto de parte de Dios Nuestro Señor y de su gloriosa y vendita madre, Nuestra Señora la Virgen Maria, recorriesse su memoria y descargasse su conciencia, diciendo enteramente verdad de todo lo que ubiesse hecho o dicho o visto hacer o decir a otras personas que fuesse o pareciesse ser en ofensa de Dios Nuestro Señor y contra su Santa Fe Catolica, Lei Ebangelica que tiene y enseña la Santa Madre Iglesia Catolica Romana o contra el recto y libre exercicio del Santo Oficio, sin encubrir de si, ni de otro cosa alguna, ni lebantar a si, ni a otro, falso testimonio, que aora por segunda monición, se le

<sup>10</sup>Bruñón de Vértiz, arrested 1649, died in 1656 in prison, suffering from delusions. In 1657, the prosecutor filed an accusation of heresy against him, and his bones were burned in 1659. See Lea, *Chapters from the Religious History of Spain Connected with the Inquisition* (Philadelphia, 1890), pp. 363-73; Medina, *Hist Inq México*, p. 277; González Obregón, *Méjico viejo*, p. 710; Guijo, *op. cit.*, p. 76, and Jiménez Rueda, *op. cit.*, pp. 174-76.

<sup>11</sup>After que, sa is written and crossed out

amonesta y encarga lo mesmo,<sup>13</sup> porque haciendolo asi, hara<sup>14</sup> lo que debe como catholico cristiano [Xptiano], y su causa sera despachada con toda la brebedad y piedad que ubiese lugar, donde no, se hara justicia

Dixo que no se acuerda en manera alguna de cosa /36/ que deba decir de culpa que el dia cometido o dia visto cometer a otros de cosa tocante al Santo Officio y que no tiene mas que decir, y que es la verdad para el juramento que tiene hecho Y siendole leido su dicho, dixo estar bien escrito, y no firmo por no saber, con lo qual fue mandado bolver a su carcel Y lo firme dicho señor inquisidor visitador

*Testado descarga—no vala Enmendado hara—vala*

Doctor Don Pedro Medina Rico [rúbrica]

Paso ante mi

El Licenciado Andres Gamero de Leon [rúbrica]

Auto para que el cirujano En el Santo Officio de la Ynquisition  
vea y visite al reo de esta Nueva Espana, veinte dias del mes  
de julio de mil y seiscientos y sinquenta y seis años, estando en su au-  
diencia de la mañana el señor ynquisidor Doctor Don Francisco de  
Estrada y Escovedo, parecio en ella Cristobal [Xpobal] Muñoz de  
Manzilla, alcaide de las carceles secretas y pressos de este Santo  
Officio, y dixo que el negro, Luis, tenia vna llaga en vna pierna de que  
se quejaba, y pedia le viesse el cirujano <sup>15</sup>

Y luego, incontinenti, el dicho señor ynquisidor mando llamar al  
Maestro Alonso de Azevedes, cirujano de este Santo Officio que  
entrasse en dicha audiencia, y estando en ella, le mando viesse y curasse  
a vn negro presso en las carceles secretas que estaba enfermo, y en cassio  
necessario, avissasse en este tribunal la enfermedad de dicho negro Y el  
dicho Maestro Alonso de Azevedes ofrecio hacer lo que se le mandaba,  
conque fue mandado salir de dicha audiencia, de lo qual doy fee

Licenciado Thomas Lopez de Erenchun [rúbrica] /37/

Auto de mudanza de carcel En el Santo Oficio de esta ciudad de  
Mexico, a veinte y quattro dias de el mes de  
jullio de mill y seiscientos<sup>16</sup> y cinquenta y seis años, estando en su au-

<sup>13</sup> After *mesmo, descarga* is written and crossed out *Ojo appears in the margin*

<sup>14</sup> *Hara* is written over a word not legible

<sup>15</sup> The Instructions of 1561 required that medical care be given prisoners  
Lea, *Hist Inq Spain*, II, 522

<sup>16</sup> MS *seiscientos*

diencia de la mafiana los s̄enores inquisidores Doctores Don Francisco de Estrada y Escobedo y Don Juan [Juo] Saenz<sup>18</sup> de Mañozca, dixeron que por quando conviene poner en la carçel numero quattro donde de presente esta este negro, Luis, a Francisco Botello, como lo tienen ordenado por auto de oy dicho dia, sea mudado dicho negro, Luis, a la Número 29 carçel numero veinte y nuebe donde a pressente esta Alonso de Espinosa,<sup>19</sup> qiego Y asi lo acordaron, de que doy ffee

Martin Ybañez de Ochandiano [rúbrica]

En la ciudad de Mexico, desiocho de septiembre de mill seiscientos y sinquenta y seis años, estando en su audiencia de la mafiana el señor inquisidor visitador Doctor Don Pedro de Medina Rico, mando traer a ella de las cárceles secretas a Luis de la Cruz, presso en ellas Y siendo presente, le fue dicho si a acordado alguna cosa en su negocio, lo diga y en todo la uerdad, so cargo del juramento que tiene ffecho

Dixo que no tiene por aora cosa alguna que dezir

3º monision.

Fuele dicho que ya saue como en la audiencia pasada se le amonesto de parte de Dios Nuestro Señor y de su bendita y gloriosa madre, Nuestra Señora la Virgen Maria, recorriesse su memoria y descargase su consensia, diciendo enteramente berdad de todo lo que huuiese hecho o dicho o visto hazer v dezir a otras personas que fuese /38/ o pareciese ser en ofensa de Dios Nuestro Señor y contra su Santa Ffee Catolica, Ley Euangelica que tiene, sigue y enseña la Santa Madre Yglesia Catolica Romana o contra el rrecto y libre ejercicio del Santo Oficio, sin encubrir de si, ni de otra persona, cosa alguna, ni leuantar a si, ni a otra persona falso testimonio, y que aora por tersera monision, se le amonesta y encarga lo mismo porque, hasiendolo asi, hara lo que deue como catolico cristiano [Xpiano], y su causa sera despachada con toda la breuedad y misericordia que huuiere lugar, donde no, se hara justicia

Dixo que no tiene cosa alguna que dezir en que se sienta culpado o sepa que otra persona lo sea

<sup>18</sup> MS. *Sones*

"This blind beggar, who in his youth had been an official of Gorrero in Castile, was sentenced to a whipping in 1656 for bigamy. See Medina, *Hist. Inq. México*, p. 269, and Guijo, *op. cit.*, p. 366. His life history is given in the manuscript papers entitled, "Caussa criminal contra Cristobal de Victoria, testigo en la informacion de solteria que dio Alonso de Espinossa para contraher segundo matrimonio" (Mexico, April 26, 1656), in the Mexican manuscript papers of the Library of The State College of Washington.

Fuele dicho que el fiscal de este Santo Officio le quiere poner acusacion y le estaria muy bien asi, para el descargo de su consensia como para el breue y buen despacho de su negocio que antes que se le pusiese, el dixese la uerdad segun a sido amonestado Y agora se le amonesta, porque abra mas lugar de vstrar con el de la misericordia que en este Santo Officio se acostumbra con los buenos confitentes, donde no, se le adbierte que se oyra al fiscal y se hara justicia

Dixo que no se acuerda de cosa alguna que deua dezir.

Y luego paresio presente el Licenciado Andres de Sabalza, que haze officio de señor fiscal de este Santo Officio, y presento vna acusacion firmada de su nombre<sup>18</sup> contra el dicho Luis de la Cruz Y juro en forma de derecho que no la ponia de malizia , su tenor de la qual es este que se sigue

Aqui la acusacion /39/

Muy Ilustre Señor

El Licenciado Andres de Cabalça, abogado desta Real Audiencia que hago officio de señor fiscal deste Santo Officio, como mejor aya lugar, y premisas las solemnidades de derecho neçessarias, accuso criminalmente a Luis de la Cruz, negro, esclavo del conde de Peñalua, natural de Angola, siruiente que fue en el tiempo de la complicidad en las carçeles secretas, que oy esta presso en ellas y es el que esta pressente Y digo que el sussodicho, con poco temor de Dios Nuestro Señor, y en menosprecio de la jurisdiccion y mandatos deste Santo Officio y en graue daño de su conciencia, como mal christiano ha cometido delictos dignos de exemplar castigo, faltando a la fidelidad y secreto que debio obseruar en todas las coisas que vido, oyo y entendio en lo interior de dichas carçeles como tal siruiente, en obseruançia del juramento que precisamente se le receuiria al tiempo que entro a vstrar dicho ministerio, de que pido se ponga testimonio en los autos, y quando no se le requiere, que no es posible menos, por raçon de la materia y exercicio estaba obligado a guardar toda fidelidad y secreto Y reuelando muchas y diferentes cosas por personas interessadas, corrompido del interez, daba y dio ausos muy prejudiciales de que se originaron muchos daños, y pudieren originar maiores en el tiempo que el sussodicho asistio en dichas carçeles, de que le acusso en general y en particular de lo siguiente

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<sup>18</sup> MS nombre

**Capítulo 1**

Que estando pressa en dichas carceles cierta persona (marido de otra cierta persona que estaba fuera), por herege judaiçante, el dicho Luis de la Cruz, dejandose corromper con dadiuas y regalos que le hizo la dicha muger, como falso e ynfiel a la legalidad y secreto que tuuo obligacion de guardar, yba de ordinario a la cassa de dicha muger, y le contaba, como le conto todo quanto passaba en lo interior de dichas carceles, assi tocante a dicho reo su marido como de otras personas que entonces estaban pressas, y por mano de dicho Luis de la Cruz, se le entraban al dicho reo algunas cossas de regalo, comestibles y otras como poluos de tabaco Y dio noticia de que le hauian de dar tormento, en cuia preuencion es sin duda que tambien le entaria algunos remedios stupefacentes que le preuendria la dicha muger que tomaria el dicho reo para no sentir el tormento, que con efecto se le dio, y en el estuuo negatiuo, de que tambien auiso el dicho Luis, negro, a la dicha muger despues de hauersele dado

**Capítulo 2**

Y assi mesmo se deja entender que entraria papeles y auisos a todos los demas pressos de parte de afuera Y de los vnos a los otros, auisandose por este medio del estado de sus caussas de las personas pressas y del estilo<sup>79</sup> y modo que hauian de tener para encubrir en sus confessiones a los complices, y para otras muchas cautelas para que los reos y sus dependientes procuran por todos caminos buscar persona que ayude a sus intentos, como lo hizo el dicho Luis de la Cruz, arresgando por el torpe y vil precio del dinero y dadiuas que le dieron y reciuio negocio tan graue y de tan summa ymportancia, /40/ como era el que se trataba en dicha complicidad

**Capítulo 3**

Y que es tanta verdad lo referido, que por vn dia del mes de agosto del año passado de seisciento[s] y quarenta y cinco, tiempo en que seruia el dicho Luis de la Cruz en dichas carceles, cierta rea estuuo muy inquieta a la puerta de su carcel, llorando y dando muchos suspiros y solloços Y oyendola dos reos que juntos estaban en vna carcel, vinieron a la ventana y uno de ellos hablo a la dicha rea, diciendole que dijese que tenia y que hablasse, que no tuwesse temor, a que respondio la sussodicha que no era ora, que a la vna de la noche les hablaría Y llegada que fue la ora citada, se hablaron, y dicho reo dijo a dicha muger quien era y la preguntó si lo conoçia, a que respondio dicha pressa que si, y que desde que estaba en las carceles sabia muy bien que estaba en la carcel desde donde le hablaba, y el

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<sup>79</sup> MS. *estilo*

compañero con quien estaba, y que vna hija suya estaba arriba de su carcel de dicha pressa en el mismo callejon, y que el Hermitaño de la Venta estaba alli, y entre ella y dicho hermitaño estaba vn espreita, que quiere decir escucha Y preguntandole dicho preso a dicha muger que quien se lo hauia dicho, ella respondio en lengua mexicana que su gueitiltiqui, que quiere decir que su negro, el grande, que apelaba sobre el dicho Luis de la Cruz Y no hauiendo oydo bien el dicho preso, se lo volvio segunda vez a pregunta[r] Y dicha muger respondio "A quien tengo yo que me lo pueda dezir, que ande suelto aqui siruiendo" Conque, dandose por entendido, dicho preso la dijo que callase, que no dijese mas, de que se conoce claramente que no solo entraua auisos a los presos y los volvia afuera de las carceles, sino que de vnos a otros los llevaba, y daba razon de los nombres y personas que estaban pressas, y de la[s] carceles donde estaban y de quienes se auian de reçelar, para que en sus comunicaciones se cautelassen como se cautelaban, como despues se dira

**Capítulo 4**

Y que este reçelo en la dicha rea naçio de que el dicho Luis de la Cruz la dijo que vn presso que estaba junto a su carcel era, como dicho es, espreita (esto es escucha), y que mirasse lo que hacía, que no hablasse palabra con nadie porque luego los auia de acussar Y esta dio por causa de escussa, la dicha rea al duchu preso, de no hauerle hablado hasta entonces, sin embargo de haber sabido desde luego que entro pressa, que le tenia por vecino

**Capítulo 5**

Y que algunos otros reos en sus comunicaciones se reçelaban de hablar con claridad y a todas oras, diciendo que hauia espreitas Y preguntando cierto reo a otro quien se lo hauia dicho, le respondio que vn negro, que sin duda ninguna seria el dicho Luis de la Cruz, por ser en aquel tiempo siruiente y estar acostumbrado a manifestar y reuelar el secreto y dar auisos, como llebo dicho, a los pressos

**Capítulo 6**

Y que despues de algun tiempo considerable, estandose comunicando la dicha muger con otro distinto presso, y ambos reçelosos por dudar quien fuese el presso que temia por vecino la dicha muger, y si era el mismo que antes estaba, dixo el dicho preso que facil era asegurarse, preguntandoselo al negro, de cuyas palabras y de las de la re[s]puesta que fue, que no le<sup>so</sup> dejaban entrar solo, y que andaba Pedro, v el otro viejo pegado con el, que ni aun mirar le dejaban,

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<sup>so</sup> After *le*, *que* is written and crossed out

se arguye<sup>11</sup> que quando entraba solo el dicho Luis, les hablaba y comunicaba todo lo que querian, como de los capítulos antecedentes se conoce. Y el tener este cuidado con el dicho Luis de la /41/ Cruz nacio de hauerse tenido noticia que entrando solo a los ministerios en que se ocupaba, era infiel y comunicaba y daba avisos a los dichos presos

*Capítulo 7*

Y que en otra ocassion de comunicacion que tuvieron algunos de los pressos diciendo vno que, al que estaba vecino a la dicha muger (que era el que en el capitulo antecedente trataban de descubrir y saber quien era), lo hauia maltratado el alcayde, la dicha muger respondio "Plegue a Dios que oregano sea" Con todo esso hablo con miedo Y diciendole otra rea que le hauia tenido lastima, respondio la dicha muger "No estoy satisfecha, ni lo estare hasta satisfacerme de mi bugio," que quiere decir negro, que era el dicho Luis de la Cruz, porque este fue el que le dijo que era espreita el dicho presso Y por dudar si le hauian mudado o no, y si era o no el que antes estaba, vivia con estos reçelos la dicha muger mal segura, esperando salir de su duda por medio deste reo que le hauia ynformado de quien era dicho hombre, y le daba los avisos que van referidos y le importaba saber

*Capítulo 8*

Y que sin embargo de que todo lo referido consta de mi informacion y consta hauer cometido dichos delictos, el dicho Luis de la Cruz en las audiencias que con el se han tenido, sin embargo de que ha sido amonestado, diga y declare la verdad debajo de juramento, ha estado y esta negatiuo Conque se ha hecho indigno de la misericordia que este Santo Officio acostumbra tener con los buenos y verdaderos confitentes

Demas de lo qual es de creer que el dicho Luis de la Cruz ha hecho, dicho y cometido otros muchos delictos, mas y menos graues, vistolos hazer, decir y cometer a otras personas, lo qual calla y encubre maliciosa-mente, de que protesto acusarle siempre que a mi noticia vinieren en el progresso de la caussa, y desde luego le aviso, y de perjuro, infiel a la obligacion de su officio y desobediente a los mandatos deste Santo Officio, y auer faltado al secreto que se le encargo y prometio y debio obseruar en todos los cassos y cossas que vio, oyo y entendio en el ministerio de siruiente de dichas carceles

Por todo lo qual a *Vuestra Señoria* pido y supplico que, hauida mi relacion por berdadera en la parte que baste por su sentencia difinitiva, declare mi intencion por bien probada y al dicho Luis de la Cruz por

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<sup>11</sup> *Se arguye* is written above the line

hechor y perpetrador de los delictos de que le acuso. Y como atal le condene en las mayores y mas graues penas en que conforme a derecho ha yncurrido stablecidas contra semejantes delinquentes, executandolas en su persona para que le sirva de castigo y a otros de exemplo Pido justicia y juro en forma debida de derecho no ser de malicia y en lo necessario &<sup>a</sup>

*El Licenciado Andres de Cabalça [rúbrica]*

Otros: en cassio necessario y que mi yntencion no se de por bien probada, a *Vuestra Señoria* suplico mande condenar y condene al dicho Luis de la Cruz a question de tormento en el qual este y perseuere y en su persona se repita hasta que enteramente diga y confiese la verdad, y si mas y mejor me conviene pedir, lo pido y sobre todo entero cumplimiento de justicia Y juro en la forma /42/ suso referida no ser de malicia y en lo necessario &<sup>a</sup>

*El Licenciado Andres de Cabalça [rúbrica]*

E presentada y leida la dicha acusacion, fue reseuido juramento en forma deuida de derecho del dicho Luis de la Cruz, so cargo del qual prometio de dezir berdad a lo contenido en la dicha acusacion Y siendole tornado a leer, capitulo por capitulo, respondio a ella en la manera siguiente

A la cabeza de la dicha acusacion dixo que es el contenido en ella y que niega hauer cometido los delictos<sup>28</sup> de que en general se le acusa

*Capítulo 1  
Lease*

Al capitulo primero, dixo que quando fue reseuido en este Santo Officio para el servisio de las carceles secretas y presos, hizo juramento de fidelidad y secreto, y se lo adbirtieron los señores inquisidores y tambien se lo adbirtieron otras personas Y asi el lo tubo y guardo y no tenia nesesidad de quebrantarlo, pues le dauan todo lo nesesario en la casa del alcaide, y asi niega el hauer dado los avisos que en ellas se rrefieren porque no paso tal ni el vio ni trato a persona alguna de casa de los reos

*2* Y esto responde al capitulo segundo Dixo que niega lo contenido en el capitulo porque no paso tal cosa en manera alguna, antes guardo mucho secreto

*3* Al tersero capitulo, dixo que lo niega segun y como en el se contiene porque no paso tal cosa en manera alguna, ni el hablaua en estas materias con preso alguno

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<sup>a</sup> MS delectos

4 Y esto responde al capitulo quarto:  
Dixo que se niega porque no paso tal cosa en manera alguna, ni el dio  
aviso a preso alguno de lo referido en el capitulo ni de otra cosa seme-  
jante.

5 Y esto responde al capitulo quinto:  
Dixo que niega lo contenido en el capitulo porque no paso tal en manera  
alguna "<sup>6</sup> /43/

*Capitulo 6* Al capitulo sexto, dixo que niega lo  
contenido en el capitulo porque no paso tal

*Capitulo 7* Y esto responde al capitulo septimo:  
Dixo que niega lo contenido en el capitulo porque no paso tal cosa.

*Capitulo 8* Al capitulo octavo, dixo que no a come-  
tido delicto alguno de que juzgue deuerse acusar tocante a lo contenido  
en este capitulo, ni a otro particular

A la conclusion A la conclusion de la acusacion, dixo que  
como a dicho, no a cometido los delictos de que a sido acusado, que el  
tribunal vse con el de misericordia y que es la uerdad, so cargo de el  
juramento que tiene fecho

El dicho señor inquisidor le mando dar copia y traslado de la dicha  
acusacion, y que a tercero dia responda y alegue contra ella de su jus-  
ticia lo que viere le combiene, con pareser de uno de los letrados que  
ayudan a las personas que tienen causas en este Santo Officio, que son  
el Doctor Rodrigo Ruiz de Sepeda Martines, Doctor Juan Bautista de  
Arze, que nombre al que dellos quisiere para su defensa Y nombro al  
Doctor Rodrigo Ruiz de Sepeda Martines

El dicho señor ynquisidor visitador dixo que se mandara llamar. Y  
dixo no nesesitaua del traslado porque no saua leer Y amonestado que  
todavia lo piense vien y diga la berdad, fue mandado boluer a su carcel  
Y no firmo por no sauer Firmolo el dicho señor inquisidor visitador

Doctor Don Pedro Medina Rico [rúbrica]

Ante mi

Evgenio de Sarauia [rúbrica]

E luego, yncontinenti, el dicho negro, Luis de la Cruz, pido al  
dicho señor inquisidor visitador que fuese seruido mandar que le  
truxeran de casa de su muger vnos calzones biejos y /44/ trapos que

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\* A 6, in the form of a guide word, is written in the lower right corner

tenia en casa de su muger Y el dicho señor inquisidor visitador mando a Geronimo del Castillo que fuese por ello juntamente con vn poco de hilo para que se rremendase Y ansimismo, el dicho Luis de la Cruz suplico se le augmentase la rrasion porque no podia sustentarse con lo que se le dava

Aumento de rasion

El<sup>se</sup> dicho señor inquisidor visitador, con acuerdo de los señores inquisidores Doctores Estrada, Mañozca y Lacienciado Higuera, mandaron [sic] que el alcaide añada a la razon de este reo vna quartilla para cada dia, y que dello se le de notisia al dicho alcaide

Evgenio de Sarauia [rúbrica]

Notisia de todo lo de arriba  
a el alcaide

En desinueue de septiembre se le dio notisia de lo probeido en la audiencia pasada a el alcaide para que lo executase, el qual dixo lo ara como se le manda, de que soy ffee

Evgenio de Sarauia [rúbrica]

Comunicacion de la acusa-  
cion y confesiones con el  
abogado

En el Santo Oficio de la Inquisicion de esta ciudad de Mexico a doce de marzo de mill seiscientos y cincuenta y siete años, estando el señor inquisidor Doctor Don Pedro de Medina Rico, visitador de este tribunal, en su audiencia de la mañana, mando traer a ella de dichas carceles al dicho Luis de la Cruz, al qual, estando presente, le fue dicho si a acordado alguna cosa en su causa para el descargo de su conciencia, lo diga y en todo la verdad, so cargo del juramento que tiene fecho

Dixo que no tiene cosa alguna que decir para el descargo de su conciencia Con lo qual fue mandado entrar en esta audiencia su abogado, el Doctor Rodrigo Ruiz de Cepeda Martinez

Fuele dicho que presente esta su abogado, que trate y /45/ comuni-que con el lo que viere que le conviene, y con su parecer y acuerdo, alegue de su justicia, porque para esto se le a mandado venir a esta audiencia Y el dicho Doctor Rodrigo Ruiz de Cepeda Martinez juro en forma de derecho que bien y fielmente y con todo cuidado y diligencia defendera al dicho Luis de la Cruz en esta su causa en quanto ubiere lugar de derecho, y que si no tubiere justicia, lo desengañara, y en todo hara lo que debe como bueno y fiel abogado. Y que tendra y guardara secreto de todo lo que viere y supiere

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<sup>a</sup> After *el*, *os* is written and crossed out.

Y luego le fueron leidas las confesiones del dicho Luis de la Cruz y la acusación que se le a puesto y lo que a ella a respondido Y trato y comunico lo que quiso sobre este su negocio y causa con dicho su abogado, el qual le dixo y aconsejo que lo que convenia para el descargo de su conciencia, breve y buen despacho de su causa, era decir y confesar la verdad, sin levantar a si, ni a otro, falso testimonio, y si era culpado, pedir penitencia porque con esto se le daria con misericordia

Y el dicho Luis de la Cruz, con acuerdo y parecer del dicho su letrado, dixo que el tiene dicha y confesada la verdad como parece de sus confesiones, a que le refiere, y niega lo demas contenido en la dicha su acusación, /46/ y de ella pide ser absuelto y dado por libre Y que siendole dada publicación de testigos, protesta alegar mas en forma lo que a su justicia convenga Y conclua y concluió para el articulo que ubiere lugar en derecho

Y el dicho señor inquisidor dixo que mandaba y mando dar traslado al dicho promotor fiscal de este Santo Oficio, el qual dixo que afirmando en lo que tenia dicho y aceptando las confesiones por el dicho Luis de la Cruz en quanto por el hacían, y no en mas, negando lo perjudicial, conclua y concluió y pidió ser recibido a prueba

El dicho señor inquisidor visitador dixo que abia y iba esta causa por conclusa y fallaba que debía de recibir y recibía a ambas partes a la prueba, salvo jure impertinencium et non admittendorum, segun estilo del Santo Oficio, lo qual fue notificado a ambas las partes

E luego el dicho promotor fiscal dixo que hacía y hizo reproducción y presentación de los testigos y probanza que contra el dicho Luis de la Cruz esta recibida, así en el proceso como en los registros y escripturas del Santo Oficio, y pidió se examinasen los contestes, y se ratifiquen los testigos en la forma del derecho y se hagan las demas diligencias necesarias para saber y alcanzar la verdad Y que hecho esto, se haga publicación de testigos en esta causa Con lo qual, salio de esta audiencia el dicho su abogado

Y el dicho Luis de la Cruz fue mandado volver a su carcel, amonestado que /47/ que todavía lo piense bien y diga enteramente la verdad, descargando su conciencia Y por no saber firmar, lo firmo dicho señor inquisidor visitador.

Doctor Don Pedro Medina Rico [rúbrica]

Paso ante mi.

El Licenciado Andres Gamero de Leon, notario [rúbrica]

Mudanza de Francisco Lopez  
de Aponte con este reo, car-

cel numero 29

En diez y nuebe de abril de mil y seiscientos y cinquenta y siete años por mandado de los señores inquisidores Doctores Don Francisco de Estrada, Don Juan [Juo] Saenz de Maizozca y Licenciado Don Bernabe de la Higuera y Amarilla, se le dio por compasiero a este reo y a Don Francisco del Valle,<sup>44</sup> que estan juntos en la carcel numero veinte y nuebe, a Francisco Lopez de Aponte<sup>45</sup> que estaua en la carcel numero diez y ocho, y de ello doy fee

Martin Ybañez de Ochandiano [rúbrica]

Audiencia voluntaria. Dice  
contra Francisco Lopez de Aponte

En<sup>46</sup> el Santo Oficio de la ciudad de Mexico a veinte dias del mes de abril de mil y seiscientos y cinquenta y siete años, estando en su audiencia de la maña[na] el señor inquisidor Don Bernabe de la Higuera<sup>47</sup> y Amarilla, mando traer a ella a Luis de la Cruz, negro, preso en las carceles secretas de este Santo Oficio, y siendo presente, le fue dicho si se [o] acordado algo en su negocio, lo diga, so cargo del juramento que tiene hecho

Dijo que no se [o] acordado cossa que desea dezir

Preguntado que fue lo que paso ayer tarde /48/ en su carzel con el hombre que mudaron en su compañia y la de Don Francisco del Valle que esta en dicha carzel, lo diga con toda verdad y puntualidad

Dijo que lo que passo fue que luego que llevaron al dicho hombre a la dicha carzel, antes de medio dia se sento sobre su cama y enpezo a traer las manos por el suelo, diciendo muchas veces "Caveza de pescado, pescado de la mar" Y que despues de la orazion, aviendo veido atole este reo y el dicho Don Francisco del Valle, porque el dicho hombre no lo quiso vever, estandose paseandose por la dicha carzel el dicho Don Francisco del Valle a [o]scuras (porque aun no les avian llevado vela), se levanto el dicho hombre de repente de la dicha su cama donde estava sentado, y envistio con el dicho Don Francisco del Valle y se abrazo

<sup>44</sup> In 1659 he was sentenced for bigamy to six years' service in the galleys See Medina, *Hist. Inq. México*, p 274, and "Causa Treviño," VIII, 39

<sup>45</sup> This man, arrested in 1657, believed he had the power in his hands and breath to relieve fever He showed no signs of suffering under severe torture and was searched thoroughly, but unsuccessfully, for concealed anesthetics Pronounced sane in July, 1657, by the physicians of the Inquisition, he was burned alive for heresy in 1659 See Medina, *Hist. Inq. México*, pp 280-86, and Gonzalez Obregon, *Méjico viejo*, p 711

<sup>46</sup> The scribe whose writing begins here and continues through MS, p 51, writes the letter i like n

<sup>47</sup> MS Ygara.

de el por la zintura Y este confesante se levanto y lo quito, diciendole "¿Que haces, hombre?" Y le volvio a sentar sobre su cama, y el dicho hombre le dijo que aquel hombre (diciendolo por el dicho Don Francisco del Valle) azia burla del Y este confesante le dijo que no azia tal, que estavas rezando, y que por la tarde no le envistio ni le dio de mojicones, ni en esta ocasion que lo abrazo por la zintura Y que esta mañana, como a las cinco, que empezava ya amanezer, se levanto de su cama el dicho hombre donde estavas acostado /49/ vestido (porque no se desnudo anoche), y se fue a la cama del dicho Don Francisco del Valle y se le acosto a su lado Y viendolo el dicho Don Francisco del Valle, le pregunto. "¿Que quieres, hombre, aqui?" Y el dicho hombre le respondio que yva a dormir alli Conque el dicho Don Francisco se vistio y se levanto, y este confesante tanvien Y quedo en la dicha cama el dicho hombre acostado, y de alli a un rato, se levanto y se volvio a su cama y se sento en ella Y no paso otra cosa. ni el dicho hombre cojio del gasnate al dicho Don Francisco ni le hizo mal alguno, y quel dicho hombre esta muy sosegado y vevio esta mañana el chocolate que le llevaron Y que no tiene otra cosa que dezir, mas de que el dicho hombre estavas ablando anoche, solo, muchos disparates, y dezia que un clérigo se avia levantado testimonio que se avia casado dos veces y que el era un pobre desdichado y otras cosas que no entendio bien este confesante Y que lo que tiene dicho es la verdad, so cargo del juramento que tiene hecho Y por no saver firmar, lo firmo el dicho señor inquisidor, conque fue mandado volver a su carzel

El Licenciado Don Bernabe de la Higuera y Amarilla [rúbrica]  
Paseo ante mi:

Don Juan [Juo] de la Serna de Haro y Vega [rúbrica]

Dize contra Aponte

En el Santo Oficio de la ciudad<sup>\*\*</sup> de Mexico en diez y nueve /50/ de mayo de mil y seiscientos y cincuenta y siete años, estando en su audiencia de la mañana el señor inquisidor Doctor Don Bernave de la Higuera<sup>\*\*</sup> y Amarilla, mando traer a ella a Luis de la Cruz, negro, preso en<sup>\*\*</sup> las carceles secretas de este Santo Oficio, y estando presente, le fue dicho que es lo que paso anoche y a pasado estos días con aquel hombre que esta en su carzel, lo diga y en todo verdad, so cargo del juramento que tiene hecho

<sup>\*</sup> After dicho, ho is written and crossed out

<sup>\*\*</sup> MS causad

<sup>\*\*</sup> MS Ygera.

<sup>\*\*</sup> The word en is repeated

Dijo que lo que passa es que anoche, como a las diez, aviendo acavado de vever atole, le dijo este confesante al dicho honbre (que no save como se llama) que se pusiese la camissa porque estava en queros solo con el jubon, y aunque le porfio mucho que se pusiese la camissa, no quiso, y se levanto y envistio con este reo, y en las tarimas de la cama le lastimo las piernas, y estuvo luchando con el por mucho rato asta que, como pudo, este confesante le amarro un pie y la mano con un paño suyo, y asi durmio esta noche pasada asta esta mañana, que le desato para que veviese chocolate. Y estos dias atras no se an podido abriguar con el dicho honbre que les quiebra los jarros y la loza que alli tienen, y les apaga la lunbre con agua y tanvien la candela /51/ la candela de noche, de manera que no se pueden abriguar con el dicho honbre que no los deja sosegar ni dormir a este confesante ni al otro, su companero, llamado Don Francisco, que los trae muy inquietos y que esto es lo que passa y la verdad, so cargo del juramento que tiene hecho. Y por no saver firmar, lo firmo el señor inquisidor, conque fue mandado bolver a su carzel.

El Licenciado Don Bernabe de la Higuera y Amarilla [rúbrica]

Ante mi

Don Juan [Juo] de la Serna de Haro y Vega [rúbrica]

Audiencia en que se le dio la publicacion de testigos En el Santo Oficio de la Inquisicion de la ciudad de Mexico, juebes, quatro dias del mes de abril de mil y seiscientos y cinquenta y ocho años, estando en su audiencia de la mañana, el señor inquisidor Doctor Don Juan [Juo] Saenz de Mañozca, mando traer a ella de las carceles secretas a Luis de la Cruz, negro, presso en ellas, y siendo pressente, le fue dicho si trae alguna cossa acordada en este su negocio y caussa, lo diga y en todo la verdad, so cargo del juramento que tiene hecho

Dixo que no tiene nada que decir en este su pleito, que si el huviera hecho algo, lo confessara.

Fuele dicho que se le haçe sauer que el señor fiscal de este Santo Oficio tiene pedida publicacion de los testigos que deponen contra el, y antes que se le diesse /52/ noticia de lo que dijen, le estaría muy bien que el dixesse enteramente la verdad, y assi se le amonesta lo haga, porque abra mas lugar de vssar con el de toda breuedad y misericordia.

Dixo que si el tuviera que decir alguna cossa, lo dixerá en tanto tiempo que a que esta presso, lo qual dixo con lagrimas.

El dicho señor inquisidor mando haçer la dicha publicacion, calla-

dos los nombres y cognombres, y las otras circunstancias por donde podria venir en conocimiento de las personas de los testigos, segun las instrucciones y estilo del Santo Oficio, lo qual se hizo en la forma y manera siguiente

Aqui la publicacion /53/

Lo que deponen los testigos que se dan en publicacion a Luis de la Cruz, de casta negro Angola, siruiente, que fue en las carceles secretas

Testigo 1

Vn testigo jurado y ratificado en tiempo

y en forma que depuso en esta ciudad por vno de los dias del mes de septiembre de mill y seiscientos y quarenta y vn años, dixo que el

Capitulo 1 viernes, once de agosto de dicho año de quarenta y vno,<sup>\*\*</sup> Ana Gomez, a las nuebe de la noche, estubo muy inquieta en la puerta de su carcel, dando muchos suspiros y llorando, y que los hombres que estaban en la carcel de las dos ventanas, que la oyeron, vinieron a la ventana, y dixo vno de los dos que alli estaban, que se llama Diego Diaz, marido de la dicha Ana Gomez "Ana, ¿que tienes?, habla, no temas, no tengas pena" Y ella, muy quedito, dixo que no podia, que no era hora Y ellos no la entendieron y se lo boluieron a preguntar Y respondio la dicha Ana Gomez que a la vna de la noche les hablaría, que entonces no era hora Y que despues de la vna de la noche se boluieron a hablar Y dixo el dicho Diego Diaz (y sabia el testigo que era el dicho Diego Diaz porque le dixo a la dicha Ana Gomez "Yo soy tu marido") "¿Me conoces?" Y ella respondio que si, y que desde que estaba alli, sabia muy bien que estaba en aquella carcel, y el companero, y que sabia que su hija Ines estaba alli arriba de su carcel en el mismo callejon, y que el Hermitaño de la Venta estaba alli tambien Y entre ella y el dicho hermitaño estaba vna espreita, que quiere decir escucha Y que preguntandole el dicho Diego Diaz a la dicha Ana Gomez, que quien la hauia dicho esso, le respondio en lengua mexicana, que su gueitiltiqui, que quiere decir que su negro el grande, el padre de Ignacillo, o de Nicolasillo, que no lo entendio bien el testigo Y que por el negro grande, entiende el testigo a Luis, el que sirue en las carceles secretas Y no hauiendo el dicho Diego Diaz oydo bien a la dicha Ana Gomez, se lo boluo a preguntar Y ella le respondio "A quien tengo yo que me lo pueda decir, que ande suelto aqui siruiendo" Y el dicho Diego Diaz la dixo "Ya te he entendido, no nombres"

<sup>\*\*</sup> This date should be 1645. The scribe, in copying, has mistaken the date of Alfar's first-mentioned audience, MS, p 5, for that embodying the present testimony, MS, p 6

**Capítulo 2**

Item dixo el testigo que prosiguiendo en su platica le dixo la dicha Ana Gomez al dicho Diego Diaz, que cierto presso, que nombre, que estaba junto a su carcel, la hauia dicho el dicho negro, Luis, que mirasse lo que hacia, que no hablasse palabra con nadie, porque dicho presso era espreita que es escucha, y que luego los hauia de acusar Y assi esta era la causa porque /54/ ella no hauia hablado aunque oya y hauia conocido al dicho Diego Diaz desde que estaba alli

**Capítulo 3**

Item dixo el testigo que el dicho negro, Luis, era causa de que aquella gente no hubiese hablado, por lo que la dicha Ana Gomez hauia dicho Y que en otras deposiciones que hauia echo de las comunicaciones que tubieron Thomas Tremiño y Francisco Lopez Blandon e Ines Pereira, dixeron que hauia espreitas quando estaba el dicho presso en compagnia de otro cierto preso, que tambien nombre Y que preguntando el dicho Tremiño al dicho Francisco Lopez, quien se lo hauia dicho, dixo que vn negro Y por entonces no supo el testigo que negro era, y ellos dirian quien era el dicho negro, Luis, el cual le hauia avisado, por ser todos vnos y parientes

**Capítulo 4**

Item dixo el testigo jurado y ratificado en tiempo y en forma en otra deposicion que hiço en esta dicha ciudad por vno de los dias del mes de mayo de mil y seiscientos y quarenta y seis que a cierto hombre presso no se le hauia oydo hablar ni esgarrar Y otro presso dixo que si le oyera, le conociera Y que Gonzalo Vaez le dixo a este segundo presso "Ay mas que assegurarnos, preguntarselo al negro" Y la dicha Ana Gomez le dixo "No quiere responderme a nada, y no le dejan entrar solo aqui, que anda Pedro o el otro viejo pegado con el, ni aun mirar ossa el desdichado"

**Capítulo 5**

Item dixo el testigo jurado y ratificado en tiempo y en forma en otra deposicion que hiço en esta dicha ciudad por vno de los dias del mes de junio de mil y seiscientos y quarenta<sup>\*\*</sup> y seis que el dicho Gonzalo le dixo a otra persona pressa que pidiese audiencia y que le diessen la carcel donde estaba otro presso sordo, que no lo tenian alli por bueno, que tan rebelde estaba como todos, que el dia antecedente lo hauia deshonrado Cibilaga, y no le hauia querido dar luz para comer Y la dicha Ana Gomez dixo que ella hauia oydo el ruido, y plegue a Dios que oregano sea Con todo esso hablo con miedo Y Leonor

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<sup>\*\*</sup> This word is written over *cincuenta*, of which the first three letters are crossed out

Vaez la dixo "Calla, que le tube lastima al pobre y quise pedir audiencia y subir arriba y decir a los señores qual lo hauian puesto" Y la dicha Ana Gomez le dixo "No estoy satisfecha, ni lo estare hasta satisfacerme de mi bujio," (que quiere decir negro, que es el dicho Luis, el que servia en las carceles) Y prosiguió diciendo a la dicha Leonor. "Si tuvieres ocacion, preguntale quien es, y como se llama, y si es sordo y judío, pues a todos nos importa" Y que esta es la ver-/55/dad para el juramento que hizo

## Testigo 2

Otro testigo jurado y ratificado en tiempo y en forma, en vna deposicion que hizo en esta ciudad de Mexico por vno de los dias del mes de mayo de mil y seiscientos y cincuenta y

## Capítulo 1

Sacado a su proceso contra Doña María de Carate, y a su proceso contra su marido Botello [rúbrica]<sup>m</sup> seis, dixo que se acordaba que Doña María de Carate tenia cuidado que vn negro nombrado Luis, que no era ladino, y era alto, que servia en las carceles secretas en llebarles la comida, viniesse a verla a menudo, y le decia lo que passaba acerca de Francisco Botello, su marido, y de otros pressos, el qual dicho negro le daba razon de todo lo que passaba, y le dio aviso del dia en que daban tormento al dicho su marido, Francisco Botello, y como hauia negado

## Capítulo 2

Sacado a sus procesos contra la Zarate y su marido, Botello [rúbrica] Item dixo el testigo que la dicha Doña Maria de Carate solia regalar al dicho negro, Luis, con algun dinero, y le solia dar algunas cosas que le metiesse en su carcel, como

poluos de tabaco y algun regalo Y que el aviso del tormento fue despues de hauerselle dado al dicho Francisco Botello, y no sabia que le huiessesen preuenido con alguna cosa para el Y que no sabia en cuyo poder paraba dicho negro, pero que hauia pocos dias que le vio vestido de librea verde con cabos de tela morada y plata Y le vio en la calle de señor San Francisco Y que esta es la verdad para el juramento que hizo

Doctor Don Juan [Juo] Saenz de Mañozca [rúbrica]

Juramento del reo Y fecha la dicha publicacion, fue recibido juramento en forma devida de derecho del dicho Luis de la Cruz, so cargo del qual, prometio de decir verdad y responderla a lo que estos testigos que se le dan en publicacion, deponen contra el Y siendole leida la dicha publicacion, respondio a ella en la forma siguiente

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<sup>m</sup> This and the rúbrica in the following marginal note are by Andrés Gamero de León

*Testigo 1º,*

*Capítulo 1º*

Al testigo primero, capítulo primero, dixo que Ana Gomez, muger de Diego Diaz, es verdad que fueron sus amos y estuvieron pressos quando este seruia en las carceles secretas, y que con ella ni con el dicho Diego Diaz, no hablo palabra Y que /56/ se acuerda que hauiendo subido a audiencia vn presso de Sant Anton llamado Alfar, que estaua en vna carcel del callejon donde estaban en sus carceles la dicha Ana Gomez y el dicho Diego Diaz, dixo dicho Alfar, que le hauia dicho vn negro que seruia en las carceles (y era, a lo que le parecia a dicho Alfar, este confessante) a la dicha Ana Gomez que no hablasse, y que por esto, la dicha Ana Gomez no hablaba, ni queria hablar con el dicho Diego Diaz, su marido, lo qual fue falso testimonio que le lebanto a este confessante dicho presso de Sant Anton

Le llamaron a este confessante a audiencia los señores inquisidores Argos y Don Francisco de Estrada, y le dixeron que no hablasse con la dicha Ana Gomez, ni le diesse consejo Y que el respondio, como era verdad, que no hauia passado tal, porque, aunque era su ama, no le hablaba palabra ninguna, buena ni mala, ni aun le daba los buenos dias Y esto responde

*Capítulo 2*

Al capítulo segundo, dixo que responde lo mismo que al capítulo antecedente, y son mentiras del presso de Sant Anton, que era vn embusteros Y esto responde

*Capítulo 3º*

Al capítulo tercero, dixo que es verdad que Ynes Pereira era su hija de dicha Ana Gomez y que Magdalena,<sup>\*\*</sup> muger de este confessante, crió a sus pechos a la dicha Ynes Pereira, y que Thomas Tremíño y Francisco Lopez Blandon, el uno era cuñado y el otro hermano /57/ hermano de la dicha Ana Gomez, su ama, pero que este confessante no los podia ver aun aca fuera la cara, y nunca les hablo en las carceles porque quando el consejo que le dio el alcalde Marañon de que no les hablasse Y esto responde

*Capítulo 4*

Al capítulo quarto, dixo que esto es verdad porque no le dejaban entrar solo en la carcel de ningun presso, y la dicha Ana Gomez no tubo lugar de preguntarle nada, y que ni aun le pregunto por su hija, la dicha Ynes Y esto responde

*Capítulo 5*

Al capítulo quinto, dixo que el no saue nada de esto Y esto responde

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<sup>\*\*</sup> On MS, p. 32, Luis says that his wife's name is Esperanza María

*Testigo 2º*

*Capítulo 1º*

Sacado a sus processos contra Doña María de Zarate y Francisco Votello

Al testigo segundo, capítulo primero, dixo que quando seruia en las carceles, algunas veces fue a ver a la muger de Francisco Botello, que vivia en su messon junto a Doña Magdalena de Orduña, porque el dicho Francisco Botello era pariente de Ana Gomez, su ama, y que la dicha muger de Botello le preguntaba como estaba su marido, Botello, y este confessante le respondia que bueno, y no mas,<sup>97</sup> pero que el no la dijo nada de lo que passaba en las carceles, pero que el dicho  
*¿Como es creible que parose aquí la Botello?* Botello no le pregunto nada, ni este confessante le dixo nada Y que esta es la verdad y no lo puede negar Y que la dicha muger del dicho Botello no le dio nada, solo le daba vn tecomate de chocolate, y en vebiendolo salia de alli, a Dios hasta otro año Ni aun medio real le dio para tabaco Y que quando salio Botello de las carceles, lo yba a ber este confessante al dicho messon, y le decia "Toma, padre Luis, medio /58/ real para tabaco" Y esto lo tomaba porque ya estaba fuera Y esto responde

*Capítulo 2º*

Al capitulo segundo, dixo que ni a el le dio cossa la dicha muger de Botello, ni le dio cossa para que se lo trujesse al dicho Botello a las carceles Solo se acuerda, y es verdad que

Sacado a sus processos contra Francisco Botello y su muger, Zarate alguna vez le dixo la dicha muger del dicho Botello que si este confessante podia traer

vnos vizcochos al dicho Botello, a quien la dicha su muger llamaba hijo de este confessante Y que el la dixo que no podia Y que a la dicha muger del dicho Botello, no le dixo nada de lo que passaba en las carceles, nunca, nunca, nunca Y que, ¿que<sup>98</sup> le dava Nota que porque no le daba, ella para que el la dixesse nada? Y esto no le decia.

responde Y que todo lo que a respondido a los testigos de esta publicacion es la verdad, so cargo del juramento que hizo

El dicho señor inquisidor le mando dar copia y traslado de la dicha publicacion, y que a terçero dia, responda y alegue contra ella, con parecer de su letrado, lo que le combenga Y el dicho Luis de la Cruz dixo que la copia de la publicacion se diesse a su abogado porque el no saue leer Y muy amonestado que todavia lo piense bien y diga la verdad,

<sup>97</sup> Que bueno, y no mas is underscored

<sup>98</sup> Beginning with que, the text is underscored through nada

fue mandado volver a su carcel. Y por no sauer firmar, lo firmo por el, el dicho señor inquisidor

Accepto la confession de este  
reo en lo favorable Mexico  
y abril quatro de sesenta  
y seis [s] y cincuenta y ocho

El Licenciado Andres de Cabalça [rúbrica]

Doctor Don Juan [Juo.] Saenz de Mañozca [rúbrica]

Passo ante mi

Bartolome de Galdiano [rúbrica]

En el Santo Oficio de la Ynquisition de la ciudad de /59/ de  
Comunicacion de la publica- Mexiko, sauado, seis dias del mes de abril  
cion de testigos con su abo- de mill y seiscientos y cincuenta y ocho años,  
gado estando en su audiencia de la mañana el  
señor inquisidor Doctor Don Juan [Juo.] Saenz de Mañozca, mando  
traer a ella de las carceles secretas a Luis de la Cruz, negro, presso en  
ellas Y siendo presente, le fue dicho si trae alguna cossa acordada en  
este su negocio y caussa, lo diga, y en todo la verdad, so cargo del jura-  
miento que tiene fecho

Dixo que no trae cossa acordada que deua decir

Fuele dicho que pressente esta el Doctor Rodrigo Ruiz de Cepeda Martinez, su abogado, que trate y comunique con el la publicacion de  
testigos que se le a dado y todo lo demas que a su justicia y defensa  
combenga

Y luego se le leyó al dicho Doctor Rodrigo Ruiz de Cepeda Martinez  
la publicacion de los testigos que deponen contra el dicho Luis de la  
Cruz, con todo lo que a ella a respondido y lo demas que fue neccesario  
Y el dicho Luis de la Cruz trato y comunico con el dicho su letrado lo que  
quisso sobre este su negocio y caussa Y con su acuerdo y parecer, dixo  
que el tiene dicha y confessada la verdad como consta de sus confe-  
ssiones, a que se refiere Y que<sup>60</sup> la noticia que tubo de que fulano

El alcayde de Marañon le Alfar hauia subido a deponer contra el  
dio noticia que Alfar le cerca de las comunicaciones de carceles y  
hauia denunciado en el tri- consejos que hauia dado a Ana Gomez, su  
bunal ama, cerca de que callase, se la dio el alcaide

/60/ Marañon, diciendole que el dicho Alfar le hauia venido a acussar,  
como lleba referido, pero no porque lo hiciesse este, ni le instumule su

<sup>60</sup> Beginning with *Y que*, the text is underscored through *lleba referido*

conciencia, pues nunca hablo coasa alguna a la dicha Ana Gomez, su ama, que lo manifestara como tiene manifestado el hauer ydo a cassa [de] Doña Maria de Çarate, y lo que con ella le passo sin que le tratasse ni comunicassee coasa alguna mas de las qve tiene confessadas

Y que segun la publicacion de testigos que se le a dado, solamente se hallan dos el vno que depone de oydas agenas,<sup>100</sup> lo qual se deue atender por este Santo Tribunal la determinacion de esta su caussa; y a su incapacidad cerca del hauer ydo a cassa de Doña Maria de Çarate y respondidole sobre la salud de su marido, sin decirle otra coasa Y que le parecio no faltaba al secreto que deuia guardar y se le hauia mandado, llevado del amor y lealtad que tenia a su marido, Francisco Botello, y a los demas parientes de la dicha Ana Gomez, su ama, no sauiendo diçernir, por su incapacidad, la mayor obligacion que tenia a lo que le estaba mandado, por ser, como es, negro bozal Y que siendo de actos secretos de los que le testifican, no puede dar mas descargo en su defensa del que lleva propuesto

Concluye difinitivamente de Por lo qual conclua y concluo de los los autos mismos autos difinitivamente en este su negocio y caussa, pidiendo se vase con el de toda misericordia por lo que /61/ lleva expressado Y por no sauer firmar, lo firme por el, el dicho señor inquisidor Y con tanto, fue mandado voluer a su carcel

Doctor Don Juan [Juo ] Saenz de Mañozca [rúbrica]  
Passo ante mi  
Bartolome de Galdiano [rúbrica]

Y el dicho señor inquisidor mando que se notifique al señor fiscal de este Santo Officio que para la primera audiencia conclua

Notificacion al señor fiscal E luego le fue notificado lo proueido por el dicho señor ynquisidor al Lizenciado Andres de Çabalça que hace officio de señor fiscal de este Santo Officio en su perssona, el qual dixo que lo oya , de que doy fee

Bartolome de Galdiano [rúbrica] /62/ [blank] /63/

Votos en vista en la caussa de Luis de la Cruz, negro

En el Sancto Officio de la Inquisicion de la ciudad de Mexico, miercoles, veinte y

<sup>100</sup> Two witnesses were sufficient for sentencing, unless they were accomplices. One was sufficient to subject the prisoner to torture. In theory, hearsay was not admitted as evidence unless it assumed enormous proportions Lea, *Hist Inq Spain*, II, 562-64

cinco dias del mes de septiembre de mil y seiscientos y cinqüenta y ocho años, estando en su audiencia de la tarde, en consulta y vista de processos, los señores inquisidores Doctores Don Pedro de Medina Rico vissitador de este tribunal, Don Francisco de Estrada y Escouedo, Don Juan [Juo] Saenz de Mañozca, y Lizenciado Don Bernabe de la Higuera y Amarilla, a que no asistio el hordinario<sup>101</sup> de este arçobispado de Mexico por hauerle mandado el señor inquisidor vissitador salir de dicha audiencia, y por consultores, los señores Don Gaspar Fernandez de Castro, cauallero de la Horden de Santiago, oydor de la Real Audiencia de esta ciudad, y el Lizenciado Don Juan [Juo] Manuel de Sotomayor,<sup>102</sup> cauallero de la Horden de Calatrava, alcalde de esta corte, se bio el proceso y caussa criminal tocante a Luis de la Cruz, negro, sobre hauer faltado al juramento de fidelidad y secreto, y hauerlo rebelado

Dixeron el señor inquisidor vissitador y el señor inquisidor Don Francisco de Estrada y Escouedo, y el señor inquisidor Don Bernabe de la Higuera y el señor Don Juan [Juo] Manuel de Sotomayor, que por aora se cesse en la determinación de esta caussa por estar sus complices pressos y sus caussas en estado para que con breuedad se concluián Y el señor inquisidor Doctor Don Juan [Juo] de Mañozca, y el señor Don Gaspar Fernandez de Castro dixeron que este reo sea puesto a question de tormento in caput propium et adhucum<sup>103</sup> Y assí lo acordaron y firmaron Doctor Rico, Doctor Estrada, Doctor Mañozca, el Lizenciado Higuera, Don Gaspar de Castro, Lizenciado Don Juan [Juo] Manuel de Sotomayor Passo ante mi Bartolome de Galdiano

Concuerdan con los botos originales que estan en el libro grande de botos a foxas duçientes y catorce, de donde los saque, a que me refiero y de ello doy feee Mexico, veinte y siete de septiembre de mil y seisçientos y cinqüenta y ocho años

Bartolome de Galdiano [rúbrica] /64/ [blank] /65/

<sup>101</sup> For episcopal jurisdiction, see Lea, *Hist Inq Spain*, II, 5-19

<sup>102</sup> Gaspar de Castro, oldest of the *oidores*, retired in 1661 and was restored to office in 1664 Gujo, *op cit*, p 541 Sotomayor became *corregidor* in 1663 Gujo, *op cit*, p 501

<sup>103</sup> The denunciation of all accomplices was considered essential to a complete confession Lea, *Hist Inq Spain*, II, 577-79

*Muy Ilustre Señor*

Presentada en cinco de sep-  
tiembre de mill y seiscientos  
y cincuenta y nuebe años, es-  
tando en su audiencia de la  
mañana los sseñores inquisi-  
dores Doctores Medina Rico,  
vissitador, Estrada, Mañoz-  
ca y Lizenciado Higuera

Que se haga como lo pide el  
señor fiscal [rúbrica]<sup>\*\*</sup>

El Licenciado Andres de Çabalça que hago officio de señor fiscal  
de este Santo Oficio, digo que, respondiendo este reo, Luis, negro, al  
segundo capitulo del testigo segundo de la publicacion, dize contra Fran-  
cisco Botello y su muger, Doña Maria de Zarate, y porque pretendo  
valerme de dicha testificacion contra los sussodichos, supplico a Vuestra  
Señoria mande se ratifique dicho negro, Luis, y pido justicia &<sup>r</sup>

El Licenciado Andres de Çabalça [rúbrica]

Votos a tortura contra Luis  
de la Cruz, negro

En el Santo Oficio de la Inquisicion de  
la ciudad de Mexico, viernes, cinco dias del  
mes de septiembre de mill y seiscientos y cincuenta y nuebe años, estando  
en su audiencia de la mañana los sseñores inquisidores Doctores Don  
Pedro de Medina Rico, vissitador de este tribunal, Don Francisco de  
Estrada y Escouedo, Don Juan [Juo] Saenz de Mañozca, y Lizenciado  
Don Bernabe de la Higuera y Amarilla, hauiendo visto el processo en  
este Santo Oficio caussado contra Luis de la Cruz, negro, dixeron que  
deuian de mandar y mandaron que este reo sea puesto a question de  
tormento in caput proprium et adlienum Y assi lo acordaron, mandaron y  
firmaron Doctor Don Pedro de Medina Rico, Doctor Don Francisco de  
Estrada y Escouedo, Doctor Don Juan [Juo] Saenz de Mañozca, el  
Lizenciado Don Bernabe de Higuera y Amarilla Passo ante mi Bar-  
tholome de Galdiano

Concuerdan con los botos originales que estan en el libro grande de  
botos a foxas ducentas y quarenta y vna, de donde los saque, a que me  
refiero, y de ello soy fee Mexico, cinco dias del mes de septiembre de  
mill y seiscientos y cincuenta y nuebe años

Bartolome de Galdiano [rúbrica]

Audiencia

En el Santo Oficio de la Inquisicion de  
la ciudad de Mexico, miercoles, /66/ diez y siete dias del mes de sep-  
tiembre de mill y seiscientos y cincuenta y nuebe años, estando en su  
audiencia de la mañana los sseñores inquisidores Doctores Don Pedro

<sup>\*\*</sup> Rúbrica of Bartolomé de Galdiano

de Medina Rico, vissitador de este tribunal, Don Francisco de Estrada y Escouedo, Don Juan [Juo] Saenz de Mañozca y Lizençiado Don Bernabe de la Higuera y Amarilla, mandaron traer a ella de las carceles secretas de este Santo Oficio a Luis de la Cruz, negro, presso en ellas Y siendo pressente, le fue dicho si trae alguna cossa acordada en este su negocio y caussa, lo diga y en todo la verdad, so cargo del juramento que tiene fecho

Dixo que no se a acordado de cossa alguna que deua decir

Aqui la monicion /67/

Monicion Fuele dicho que ya saue como muchas y diuerssas veçes a ssido amonestado dixesse enteramente verdad de todo lo que huviesse fecho o dicho, o visto haçer o decir a otras perssonas, en ofenssa de Dios Nuestro Señor y contra su Santa Fee Catholica, Ley Ebangelica que tiene, sigue y enseña la Santa Madre Yglessia Catholica Romana, especialmente cerca de aquello que esta testificado y acussado por este su proçesso, lo qual no a querido haçer, y por el dicho proçesso, pareçe que calla y encubre muchas cossas

Especialmente, que por el año de mil y seiscientos y quarenta y cinco, estando este reo siruiendo en las carceles secretas de este Santo Oficio, por el mes de agosto de dicho año, Ana Gomez, pressa en dichas carceles secretas, como a las nuebe de la noche, estubo muy inquieta en la puerta de su carçel, dando muchos suspiros Y vnos hombres que estaban el la carçel de las dos bentanas los<sup>100</sup> oieron Y el vno de ellos, llamado Diego Diaz, marido de la dicha Ana Gomez, le dixo "Ana, ¿que tienes? Habla, no temas, no tengas pena" A que respondio dicha Ana Gomez, mui quedito, que no podia hablar, que no era ora Y dichos hombres no la entendieron y se lo boluieron a preguntar Y respondio la dicha Ana Gomez que a la vna de la noche les hablaria, que entonces no era tiempo Y despues de la vna de la noche, se voluieron a hablar Y dixo dicho Diego Diaz "Yo soy tu marido," i "¿Me conoces?" Y ella respondio que si, que desde que estaua alli, saulia mui bien que estaba en aquella carçel y el compañero, y que saulia que su hija, Ynes, estaba alli arriua de su carçel en el mesmo callejon, y que el Hermitaño de la Benta estaua alli tambien Y que entre ella y el dicho hermitaño estaua vna espreita Y preguntandole que quiere decir espreita, dixo que escucha Y el dicho Diego Diaz /68/ pregunto a la dicha Ana Gomez que quien le hauia dicho aquello Y ella respondio en lengua mexicana

que su gueithultiqui, que quiere decir que su negro el grande, el padre de Ynaçillo o Nicolassillo Y por el negro grande, se entiende el negro, Luis, que servia en las carceles secretas Y no hauiendo dicho Diego Diaz oido bien a dicha Ana Gomez, se lo volvio a preguntar Y ella le respondio "A quien tengo yo que me lo pueda decir, que ande suelto aqui sirviendo" Y el dicho Diego Diaz respondio "Ya te entiendo, no nombres" Y añadio la dicha Ana Gomez que el dicho negro, Luis, le hauia dicho a ella que mirasse lo que hacia, que no hablasse palabra con nadie porque estaua alli vn espreita que escuchaba, y luego los hauia de acussar "Y assi esta es la caussa porque no te he hablado, aunque te oigo, y te he conoçido desde que estas ay Y si acasso nos acussare, que no hara, que estara durmiendo, decir que miente, que aunque a mi me hagan mas pedazos que dias tiene el año, no me han de sacar nada, y salbar siempre a quien me dio el auisso"

Y que este reo era caussa de que dichos pressos no huiessen hablado, porque la dicha Ana Gomez lo dixo, y que Thomas Tremiño y Francisco Lopez Blandon e Ynes Pereira, pressos en dichas carceles, dixeron que hauia espreitas quando estaba alli Luis Perez de Bargas en compaňia de Gaspar Alfar, y que se lo hauia dicho vn negro, que se entendio ser este reo, el qual lo hauia auissado por ser todos los referidos vnos y parientes

Y que deseando vn reo llamado Gonzalo y Ana Gomez sauer quien era vn hombre que estaua cerca de ellos, por no sauer si era espia, dixo el dicho Gonzalo a la dicha Ana Gomez "Ay mas que asegurarnos, preguntaselo al negro" Y ella respondio "No quiere /69/ responderme nada, y no le dejan entrar solo aqui, que anda Pedro v el otro viejo pegado con el, ni aun mirar ossa el desdichado"

Y que el dicho Gonzalo dixo en vna ocassion a vna pressa "Pide audiencia, y que te den esta carcel a donde esta este sordo, que no lo tienen aqui por bueno, que tan rebelde esta como todos, que ayer lo deshonro Subillaga, y no le quisso dar luz para comer" Y Ana Gomez le dixo "Ya oy el ruido, plegue a Dios que oregano sea" Con todo esso hablo con miedo Y Leonor le dixo "Calla, que le tube lastima al pobre y quisse pedir audiencia y subir arriba y decir a los señores qual lo hauian puesto" Y Ana Gomez respondio "No estoí satisfecha, ni lo estare hasta satisfazerme de mi bujio," (que quiere decir negro, que es Luis, el que sirve en carceles secretas) Y prosiguió diciendo a Leonor "Si tubieres ocassion, preguntale quien es, y como se llama, y si es sordo y judío, pues esto a todos nos importa"

Y que Doña Maria de Zarate tenia cuidado que vn negro nombrado Luis, que no era ladino, y era alto, que seruia en las carceles secretas a lleuarles la comida, viniessen a verla a menudo y le deçia lo que passaba acerca de su marido y de otros pressos Y el davaa razon de todo lo que passaba y le dio noticia como hauian dado tormento a su marido y como hauia negado Y ella solia regalar a este reo con algun dinero y le solia dar algunas cossas que le metiesse en su carcel como poluos de tabaco y algun regalo

Y para mayor justificacion sea mandado traer a esta audiencia para le tornar a [a]monestar, como se le amonesta, de parte de Dios Nuestro Señor y de su gloriessa y bendita madre, Nuestra Señora la Virgen Maria, diga y confiesse enteramente verdad de lo que esta testificado, y de todo lo demas que huviere hecho, dicho o visto haçer o decir a otras perssonas en ofensa de nuestra Sancta Fee Catholica, sin encubrir de si, ni de ellas, cossa alguna, ni lebantar a ssi, ni a otro, falso testimonio, porque, con esto, descargara su conciencia como fiel chris-tiano, y se vssara con el de la misericordia que huviere lugar, donde no, se hara justicia

Respuesta del reo

Dixo que la verdad es que en el tiempo que Francisco Botello estaua presso en las carceles secretas que este Santo Oficio tenia en las cassas de Picazo,<sup>106</sup> este passo en vna ocasion por la calle adonde hauia viuido dicho Francisco Botello y adonde actualmente viuia Doña Maria de Çarate, su muger, que era en vna cassa de messon en la calle de San Juan, enfrente de Doña Magdalena de Orduña Y a la puerta de dicho messon estaua vn muchacho ya grande, que andaba al estudio y aprendia para curar como medico, llamado Balthassar, que entiende se llamaba Balthassar Botello porque era hijo de Ana Botello,<sup>107</sup> hermana de Francisco Botello, que viuia en Quernabaca la dicha Ana Botello, la qual murió ya, y vna hija sua y el dicho Balthassar en la villa de Quernabaca, a donde el dicho Balthassar hauia ydo a curar a dicha su madre Y el dicho Balthassar en dicha ocassion llamo a este, diciendole "Ben aca, padre Luis, ben a ver a mi tia" Y este entro en dicho meson, y la dicha Doña Maria de Çarate lo reçiuio y lo hizo sentar en vn banco Y ella se sento en su /71/ en su estrado

<sup>106</sup> These houses, Nos 8, 9, and 9½, of the calle de la Encarnación were rented from the nuns of the same name, and prisons were built to take care of the overflow from those in the calle de Perpetua González Obregón, *Don Guillén de Lampart*, p 76

<sup>107</sup> See n 47

cerca de este, y pressente dicho Balthassar en pie en la propia puerta de la sala, de suerte que podia oyr lo que dixesse la dicha Doña Maria de Çarate, y lo que dixesse este Y no hauia otra persona pressente Y la dicha Doña Maria de Çarate pregunto a este "¿Como esta tu hijo?" (diçiendolo por dicho Francisco Botello, su marido), porque el dicho Francisco Botello llamaba a este, padre, porque quando compro a este, Ana Gomez y Gaspar Albarez, su primero marido (que era la dicha Ana Gomez prima hermana del dicho Francisco Botello, y de la dicha Ana Botello, su hermana),<sup>108</sup> era pequeno el dicho Francisco Botello, que quiere decir que era mozeton, y por esso llamaba padre a este confe-ssante, porque siempre quisso mucho a este, y este tubo amor al dicho Que este tuuo amor a Fran-

Francisco Botello Y a la pregunta de dicha Doña Maria de Çarate, respondio este que bueno estaua el dicho Francisco Botello Y la dicha Doña Maria de Çarate dixo a este "¿Quieres llebar a tu hijo vnos vizcochos?" Y este res-pondio que no podia Y añadio la dicha Doña Maria de Çarate que si queria traerle vnos polbos de tabaco Y este respondio que no Y dio a este vn tecomate<sup>109</sup> de chocolate, y este lo tomo Y lo hizo vna negra que tenia la dicha Doña<sup>110</sup> Maria de Çarate, que no saue como se llamaba, de

*Testigos examinense, exa-minados, no dicen cosa algu-na Estan en su lugar de la prueba[s], foja*<sup>111</sup>

casta matamba, que era cassada con vn negro tambien de casta matamba, que no saue como se llamaba, /72/ tambien esclauo de la dicha Doña Maria de Çarate Que a entrambos los vendio la sussodicha y su marido, despues que dicho su marido salio de este Santo Oficio, estando presso en la carcel de Corte Y no saue a quien los vendio, pero estan en esta ciudad dichos esclauos, porque los a visto<sup>112</sup> en la boca de la calle de la Carniceria<sup>113</sup> de los Teatinos Altos, no saue en que cassa, pero alli los a encontrado de ordinario Y el negro marido es aguador

Y estando presso dicho Francisco Botello en las carceles de esta cassa, riñon con Baltha[sa]r de Obiedo, aidante de alcalde, y le hecharon vnos grillos al dicho Francisco Botello por mano de este Y que es ver-

<sup>108</sup> The parentheses are mine

<sup>109</sup> MS *tocomate*

<sup>110</sup> Beginning with Doña Maria de Çarate, the text is underscored through *encontrado de ordinario*

<sup>111</sup> MS, pp. 17-23

<sup>112</sup> After *visto*, cerca is written and crossed out *Ojo* appears in the margin

<sup>113</sup> Today, calle de la Amargura Gonzalez Obregón, México viejo, p. 722

dad que el diablo lleuo a este aquel dia a cassa de la dicha Doña Maria de Çarate y lo entro en ella, el dicho Balthasar llamandolo Y lo reçuió la dicha Doña Maria de Çarate, sentandose la suassodicha en su estrado y este en vn banco cerca, y el dicho Balthasar de Burgos a la puerta en pie como la vez passada Y pregunto a este la dicha Doña Maria de Çarate "¿Como esta tu hijo?", diciendolo por dicho Francisco Botello Y este respondio que estaba bueno, pero no le dijo lo de los grillos ni otra cossa Y luego la dicha Doña Maria de Çarate pregunto a este por alguna gente que estaua aca pressa , combiene a sauver, por la muger de Simon Vaez y por la muger de Peralta que /73/ vnuia en la calle de Tacuba, y tambien por el dicho Simon Baez,<sup>114</sup> y si estaban viudos o muertos Y este le respondio que no lo sauvia Y que no le preguntó por mas, y dio a este chocolate que se lo hicieron sus negros, y este lo tomo y vebio Y la dicha Doña Maria de Çarate dixo a este que trajesse a dicho su marido vn papel de tabaco, y se lo metiesse en la fraldiquera [sic] vnos vizcochos y se los diesse a dicho su marido Y este le respondio que no podia Con lo qual se vino y no passo otra cossa

Y que de mas de estas dos veces, fue otras dos a cassa de dicha Doña Maria de Çarate, y entraba con<sup>115</sup> mala gana, y se sentaba donde antes deja dicho, y

Fue cuatro veces a casa de la Zarate Dice que yba de mala gana como si alguien le forzara la dicha Doña Maria de Çarate tambien, y el dicho Balthasar estaba asentado en la propia sala escriuiendo en sus papeles Y la dicha Doña Maria de Çarate preguntaba a este "¿Como esta tu hijo?", diciendolo por dicho Francisco Botello Y este respondia, que bueno Y ella encargaba a este que tubiesse cuidado con dicho su hijo para darle lo neçessario Y tambien dicho Balthasar preguntaba a este "¿Como esta mi tio?" Y el respondia, "Bueno" Y no passaba otra cossa Y dabán a este siempre chocolate hecho, que veuia Y que no le dio jamas otra cossa alguna, ni passo otra cossa aacerca de lo contenido en la monicion que /74/ se le a hecho

Y que Sant Anton Alfar, el que estaua presso en dichas carceles secretas, lebanto a este testimonio porque queria mal a este por pendencia que tubo con el, dentro de su carcel<sup>116</sup> Y le mando el alcaide que

<sup>114</sup> Tomás Nuñez de Peralta, and his wife, Beatriz Enriquez, were reconciled in 1646 Genaro García, *op cit.*, XXVIII, 84 f and 203-12 Simón Báez Sevilla and his wife, Juana Enriquez, were reconciled in 1649 Cf González Obregón, *Méjico viejo*, p 700, Medina, *Hist Inq Mexico*, p 197, and Genaro García, *op cit.*, XXVIII, 43

<sup>115</sup> *Con mala gana y se sentaba* is underscored

<sup>116</sup> A witness could be disqualified if mortal enmity could be proved Lea, *Hist Inq Spain*, II, 536

no entrasse este mas en dicha carcel, ni entro en ella hasta que dicho Alfar salio de ella Y esto responde

Fuele dicho que su processo y caussa esta vista por perssonas de letras y rectas conciencias, a las quales a parecido que el sea puesto a question de tormento para que diga la verdad

Dixo que el tiene dicha la verdad

Y luego los dichos señores inquisidores, visto que el dicho Luis estaua negativo, pronunciaron la sentencia siguiente

*Christi nomine inuocato*

Fallamos, atentos los autos y meritos de este proceso, indicio y sospechas que del resultan contra el dicho negro, Luis, que le deberemos de condenar y condenamos a que sea puesto a question de tormento, en el qual, mandamos, este y perseuere por tanto tiempo quanto a nos bien visto fuere, para que /75/ que en el diga la verdad de lo que esta testificado y acussado con protestacion que le hacemos que, si en el dicho tormento muriere o fuere lisiado, o se siguiere efussion de sangre o mutilacion de miembro, sea a su culpa y cargo, y no a la nuestra, por no hauer querido decir la verdad Y por esta nuestra sentencia, assi lo pronunciamos y mandamos en estos escritos y por ellos

Testado cerca—no balga

Doctor Don Pedro Medina Rico [*rúbrica*]

Doctor [D]on Francisco de Estrada y Escouedo [*rúbrica*]

Doctor Don Juan [Juo] Saenz de Mañozca [*rúbrica*]

El Licenciado Don Bernabe de la Higuera y Amarilla [*rúbrica*]

La qual dicha sentencia los dichos señores inquisidores dieron y pronunciaron en este dicho dia en su audiencia de la mañana de este Santo Oficio, pressente el dicho Luis de la Cruz, al qual la notifique en forma Y hauiendola oydo y entendido, dixo que no tiene cossa alguna que decir

Y con tanto, fue mandado llebar a la camara del tormento adonde fueron los dichos señores inquisidores, siendo ya las nuebe y tres quartos Y estando en ella, fue amonestado el dicho Luis de la Cruz que, por amor de Dios, /76/ diga la verdad y no se quiera ver en tanto trabajo

Dixo que que a de decir, y que no a de lebantar testimonio Y el propio se comenzó a desnudar Con lo qual fueron mandados entrar los ministros de justicia, de los cuales fue receuido juramento en forma,

que bien y fielmente haran sus officios, y de todo lo que vieren y entenderen, tendran y guardaran secreto Con lo qual fue mandado desnudar dicho Luis de la Cruz, y estandolo, se le amonesto que diga la verdad

Dixo que que tiene que decir, que tiene dicho la verdad Con lo qual fue mandado poner en el potro y atarle la<sup>111</sup> çincha Y estando assi atado, fue amonestado que diga la verdad Y no respondio cossa alguna Con lo qual se mando proceder a atarle los brazos, y estando assi atados, fue amonestado que diga la verdad Y no respondio cossa alguna, sino solo quejarsse, con lo qual se mando proceder a atar las piernas, y estando assi atadas, fue amonestado que diga la verdad Y no respondio cossa alguna , con lo qual se mando proceder a apretar la pierna derecha, y con efecto se le apredo Y /77/ Y dixo "¡Ay! ¡ay! ¡ay!", muchas veces, "¡ay! ¡ay! ¿que puede [sic] decir, Señoria? ¡ay! ¡ay!" llorando, "¿Que puedo decir? ¡ay! ¡ay!", muchas veces Y amonestado diga la verdad, no respondio nada mas que llorar y quejarse Y amonestado otra vez diga la verdad, no dijo mas que llorar

Con lo qual se mando cerrar la primera buelta de la pierna derecha  
 1<sup>a</sup> buelta de la pierna de Y amonestado que diga la verdad , donde no, recha se procedera adelante en el tormento, dixo  
 "¿Que puedo decir? Dios de mi vida, Dios de mi vida y de mi alma, ¿que puedo decir?"

Con lo qual se mando apretar la buelta de la pierna hi[quierda]  
 1<sup>a</sup> buelta de la pierna hiz- Y estandola apretando, dixo "¡Ay! ¡ay!  
 quierda ,ay!", muchas veces con grandes gritos  
 "No lo deuo, no lo deuo, Señorias, que me quiebra el pie No lo deuo,  
 Señorias, ¡ay! ¡ay! ¡ay!", muchas veces, "Que me matan" Y amonestado diga la verdad, no hizo mas que gritar y decir muchas veces "¡Ay!  
 ,ay!, miren, Vuestras Señorias, que me matan," con muchos gritos "No  
 lo deuo, Señorias, dame vna poca de agua", con muchas /78/ lagrimas  
 y gritos Con lo qual se mando cerrar la buelta Fuele dicho que diga la  
 verdad , donde no, se procedera a la primera buelta de los brazos Dixo  
 "No lo dueu[n] su[s] Señorias" Con lo qual se mando apretar dicha  
 buelta Y no respondio cossa alguna

Con lo qual se mando apretar dicha buelta Y no respondio cossa  
 1<sup>a</sup> vuelta de los brazos alguna Y luego dixo que le aflojen, que  
 quiere decir la verdad Con lo qual se mando salir fuera a los ministros,  
 y estando ya fuera, no quisso decir nada, aunque se le preguntó que que

<sup>111</sup> After *la, ch* is written and crossed out *Ojo* appears in the margin

queria confessar Con lo qual se mando otra vez entrar los ministros , y estando dentro, dixo que salgan otra vez fuera , y estando otra vez fuera dichos ministros, y preguntado que es lo que quiere decir, dixo que Nicolassa la española, que esta pressa en calabozo en las carceles nuebas, le dixo "Hechate conmigo " Y el dixo "No quiero," y que esta es la que le mata, y que no deue otra cossa al Santo Officio, y que esso es lo que le puede matar , que no deue otra cossa al Santo Officio, y que /79/ y que para otra cossa, no saue nada Y que no lo hauia dicho hasta aora porque no se hauia hechado con ella Y que la dicha Nicolassa le rompio su capote de luto Y desde que entro a seruir al tribunal, ni vna palabra a dicho de los pressos a nadie Y que alguna perssona que le quiere mal le condena Y que si lo huviera visto, lo huviera dicho, y no aguardara a que se le quebrara su pie, y que no lo deue para aqui, para delante de Dios

Con lo qual se mando entrar a los ministros y que procediessen en el aprieto de dicha primera buelta de los brazos Y estandola apretando, dixo "Ay! ,ay! ,ay!" , muchas veces, con grandes gritos, diciendo "Aguardate! ,aguardate!", que quiero hablar con los señores" Y hauiendo mandado salir a los ministros fuera, dixo que lo estaban matando de balde, y que no tenia otra cossa de verdad que pueda el decir que lo de dicha muger, Nicolassa, y que no tiene otra cossa que decir

Con lo qual fueron mandados entrar dichos ministros y que procediessen en el aprieto de dicha primera buelta Y estandola /80/ apretando, dixo "Que me muero, Señorias," muchas veces, y que lo dejassen Conque se mando salir fuera a los ministros Y estando ya fuera, dixo que Quattro Ojos, que es Simon Vaez, quando salio de este Santo Officio y fue a España y vivia en la Pila de los Teatinos, le dio quattro baras de ruan para haçer camissa, por lo que le hauia servido en el calabozo, hechandole agua y barriendole el aposento y sacandole el seruicio, y no por otra cossa, yendo este a ber al dicho Simon Vaez a dicha cassa Y que vn portugues cerrado, llamado Fernando, le dio vn pesso quando salio fuera en el patio de dentro de esta Inqquisicion al medio dia, viniendo con dicho portugues vn su criado, el español Y que vn capitán Ancho, no saue si era portugues, que vino de Caracas, y estubo presso en las carceles nuebas, quando salio del Santo Officio, fue este con Alonso, el barbero, al meson de Santa Cathalina, y le lleuo su cama con el colchon Y le dio por ello quattro pesos delante del dicho barbero, Alonso Y que no tiene otra cossa que decir /81/ porque lo hechara todo

por la boca si este le dixo esto, o fulano le dixo aquello, y no pudiera negar, y dixerá "Esto me passó, aquello me passó" Y no tiene otra cosa que decir

Fuele dicho que diga la verdad, o si no, se mandara entrar a los ministros Dixo que si fuera verdad lo que se le pregunta, lo dixerá Con lo qual fueron mandados entrar dichos ministros, y que continuassen en darle la primera buelta Y estandola apretando, dixo "¡Dios mio! ¡Dios mio! ¡Virgen y Madre de Dios!" muchas veces, y tambien "Passa aqui mi amo," diciéndolo al señor inquisidor Doctor Don Juan [Juo] Saenz de Mañozca Conque se cesó con la buelta y se mando salir a los ministros Y preguntandole que que quiere, que confiesse la verdad, no dixo cosa alguna, mas de que a dicho la verdad

Con lo qual fueron mandados entrar los ministros y que dispusiesen la segunda buelta de los brazos Y estandola amarrando, le fue dicho, diga la verdad o se mandara apretar, a que no respondio cosa alguna Con lo qual se /82/ mando apretar la buelta Y estando apretanz<sup>2</sup> buelta de los brazos. dola, dixo "No lo deue Su Señoría, ¡ay! ¡ay! ¡ay!", muchas veces, "Madre de Dios del Rossario, ¡ay! ¡ay! ¡ay!", muchas veces, "La verdad digo, señor" Y luego dixo "Passa aqui Su Señoría", llamando al señor inquisidor Don Juan [Juo] Saenz de Mañozca, que se llevo algo cerca a ver lo que queria Y dixo algunas cosas que no hacen al proposito, que apenas se le pudo apercevir lo que dixo Y preguntandole que si tenia alguna cosa, no dixo cosa mas que por que lo mataban

Con lo qual se mandaron entrar dichos ministros para que proceden en el aprieto de la buelta Con lo qual dixo que quiere confesar la verdad, que se salgan fuera los ministros Y hauyendolos mandado salir, se le pregunta que que es lo que quiere, que diga la verdad Dixo que se esta muriendo, que si tubiera que decir,<sup>118</sup> que lo dixerá, que luego dixerá todo lo que tiene en el corazon Con lo qual fueron mandados entrar los ministros y que quitasen al dicho negro, Luis, del tormento como /83/ como con efecto lo comenzaron a desatar

Con lo qual los dichos señores inquisidores dixerón que por ser tarde, y por otros respectos, suspendian<sup>119</sup> por el pressente el dicho tormento, con protestacion que le hacían que no le hauian por suficiente-

<sup>118</sup> After *decir*, *lo* is written and crossed out *Ojo* appears in the margin

<sup>119</sup> Two turns of the tightening ropes were not considered violent. The rule that torture could not be repeated was circumvented by the device of suspension of the torture *Lea, Hist. Inq. Spain*, III, 16-23

mente atormentado. Y que si no dijese la verdad, reserbaban en si el poderlo continuar quando les pareciere. Y assi fue mandado quitar y quitado del tormento, y llevado a otro aposento adonde fuese curado

Y esta diligencia se acauo a las once horas y media de la mañana, hauiendo comenzado los aprietos del tormento a las diez horas y quarto, poco mas o menos, de dicha mañana, de suerte que duro lo que tardo en passar la arena de vn relox de ora y vn poco mas.

Y segun lo que parecio, hauiendole visto recostado sobre la cama, y lo que dixo el ministro que le atormento, que el dicho negro, Luis, quedo sin lesion alguna. Y sin embargo, mandaron dichos sseñores inquisidores que el cirujano de este Santo Officio lo viniessen a ver y curar, y a declarar en este Santo Officio lo que hallasse

Testado ch, lo,—no balga

Passo ante mi

Bartolome de Galdiano [rúbrica]

Ratificación del tormento

En el Santo Officio de la Inquisicion de la ciudad de Mexico, viernes, diez y nuebe dias del mes de septiembre de mil y /84/ seiscientos y cincuenta y nuebe años, estando en su audiencia de la mañana los sseñores inquisidores Doctores Don Pedro de Medina Rico, visitador de este tribunal, Don Francisco de Estrada y Escouedo, Don Juan [Juo] Saenz de Mañozca y Lizenciado Don Bernabe de la Higuera y Amarilla, mandaron traer a ella de las carceles secretas de este Santo Officio a Luis de la Cruz, negro, presso en ellas. Y siendo pressente, le fue dicho si trae alguna cossa acordada en este su negocio y caussa, lo diga y en todo la verdad, so cargo del juramento que tiene fecho

Dixo que no se le ofrece cossa alguna que podra decir

Fuele dicho que este atento y se le leera lo que antes de ayer, miercoles, diez y siete de este pressente mes de septiembre dixo y declaro, estando en esta audiencia y en la camara del tormento para que, aora que esta fuera de el, bea si es aquello verdad, o si ay alguna cossa que añadir o enmendar, de manera que en todo diga la verdad, sin respecto alguno, so cargo del juramento que fecho tiene

Y luego le fue leido lo que dixo estando en esta audiencia y en la camara del tormento en dicho dia, miercoles, todo de berbo ad berbum. Y hauiendoselo leido, y dicho que lo havia oydo y entendido, dixo que el declaro en esta audiencia y en la camara del tormento lo que se le a leido, y esta bien escrito, y no tiene en ello que alterar, añadir /85/ ni

enmendar, porque como esta escrito y asentado, es verdad Y en ello se afirmaba y afirmo, ratificaba y ratifico, y siendo necesario, lo deca de nuevo, y que no lo deca por temor del tormento ni por otra caussa alguna, sino porque es verdad Y no firmo por no sauer Firmolo el dicho señor inquisidor vissitador Conque fue mandado llebar a su cargel

*Doctor Don Pedro Medina Rico [rúbrica]*

*Passo ante mi*

*Bartolome de Galdiano [rúbrica]*

*Votos en reuista en la caussa  
contra Luis de la Cruz, ne-  
gro*

En el Santo Officio de la Inq[uisicion] de la ciudad de Mexico viernes, tres dias del mes de octubre de mill y seiscientos y cinquenta y nuebe años, estando en su audiencia de la mañana, en consulta y vista de processos, los sseñores inquisidores Doctores Don Pedro de Medina Rico, vissitador de este tribunal, Don Francisco de Estrada y Escouedo, Don Juan [Juo] Saenz de Mañozca y Licenciado Don Bernabe de la Higuera y Amarilla, y por ordinario de este Arçobispado de Mexico, el señor Doctor Don Garcia de Leon Castillo, que tiene las veçes del señor Doctor Don Matheo Sagade Bugueiro,<sup>120</sup> Arçobispo de esta dicha ciudad, de que soy fee, y por consultores, los sseñores Lizen-ciados Don Francisco Calderon y Romero,<sup>121</sup> oydor de esta Real Audiencia, y Don Juan [Juo] Manuel de Sotomaior, cauallero del auito de Calatrava, alcalde en esta corte, se vio la caussa criminal fulminada en este Santo Officio contra Luis de la Cruz, negro Dixeron el señor inquisidor vissitador que este reo sea sacado a /86/ auto publico de fee, y se le lea su sentencia con meritos,<sup>122</sup> en la forma ordinaria, y otro dia, sea reprehendido en este tribunal y sea entregado a su amo, y lo saque de esta ciudad dentro de diez dias primeros siguientes, a donde no buelba sin expressa licencia de este tribunal, el señor inquisidor Estrada, que este reo sea absuelto y dado por libre, el señor inquisidor Mañozca y el señor inquisidor Don Bernabe de la Higuera, que se conformaban en todo, y por todo, con el boto y parecer del señor inquisidor vissitador

<sup>120</sup> He became Archbishop in 1655 and quarreled constantly with the Inquisition over jurisdiction. Medina Rico accused him of interfering with the procedure of the Holy Office and of speaking indecently of the inquisitors and the inspector. In 1663 he was appointed Archbishop of Leon, but died the same year. See Guijo, *op. cit.*, pp. 307, 359-62, 502, and 517; Medina, *Hist. Inq. Mexico*, pp. 262-65, and Lea, *Inq. Dependencies*, p. 257.

<sup>121</sup> He became *oidor* in 1649. Guijo, *op. cit.*, p. 107.

<sup>122</sup> This consisted of a complete review of the misdeeds of the culprit. Lea, *Hist. Inq. Spain*, III, 93 f.

**Doctor Don Pedro de Medina Rico** Y no boto el señor ordinario por no tocarle el conoçimiento de esta caussa, aunque se hallo presente quando se boto Los sseñores Lizenciadoss Don Francisco Calderon y el señor Don Juan [Juo] Manuel dixeron que eran del mesmo boto y parecer que el señor inquisidor Estrada, y añaden conque se benda este negro fuera de esta ciudad Y assi lo acordaron y firmaron Doctor Rico, Doctor Don Francisco de Estrada y Escouedo, Doctor Mañozca, el Lizenciado Higuera, Lizenciado Don Francisco Calderon y Romero, Lizenciado Don Juan Manuel de Sotomajor Passo ante mi Bartholome de Galdiano

Concuerdan con los botoes originales que estan en el libro grande de botoes a foxas duçientes y quarenta y ocho y buelta, de donde los saque, a que me refiero, y de ello soy fee Mexico, a seis dias del mes de octubre de mill y seiscientos y cincuenta y nuebe años

Bartolome de Galdiano [rúbrica]

En el Santo Officio de la Ynquisicion de Mexico, catorce dias del mes de octubre de mil y seiscientos y cincuenta y nuebe años, estando en su audiencia de la mañana los sseñores ynquisidores Doctor Don Francisco de Estrada y Escovedo y Licenciado Don Bernabe de la Higuera y Amarilla, mandaron traer a ella de las carceles secretas de<sup>128</sup> este Santo Officio a /87/ Luis de la Cruz, negro, preso en ellas Y siendo pressente, le fue dicho si a acordado alguna cosa que deba decir, lo diga, y en todo verdad, so cargo del juramento que tiene hecho

Dixo que no tiene que decir

Fuele dicho que se le haçe saver que su processo y caussa esta vista y determinada por personas de letras y rectas concienças, y en ella se ha dado la sentencia del thenor siguiente

Aqui la sentencia /88/ [blank] /89/

Luis de la Cruz

Visto por nos, los inquisidores apostolicos, contra la heretica pravedad y apostasia en esta ciudad y arçobispado de Mexico, estados y provincias de esta Nueva España, por autoridad apostolica &<sup>129</sup>, un proceso y causa criminal que ante nos se a seguido, y pende entre partes de la una, el fiscal de este Santo Officio, y en su nombre, el Licenciado Don Andres de Zabalça que haçe su officio, actor acusante, y de la otra,

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<sup>128</sup> The word *de* is repeated

reo defendiente, Luis de la Cruz, negro, actualmente esclavo del conde de Peñalba; natural de Angola, sirviente que fue en el tiempo de la complícidad en las carceles secretas, preso en ellas, que esta presente, sobre y en rraçon de aber faltado a la fidelidad y secreto, rebelando a personas de afuera lo que interiormente pasaba en dichas carceles, dejandose corromper con dadibas y dineros de las personas a quienes importaban los abisos que les daba y podia dar, que, seguida la causa y conclusa, visto los autos de ella, con lo mas que ver convino, y abido nuestro acuerdo y parecer con personas de letras y rectas concienças

Christi nomine invocato

Ffallamos, atentos los autos y meritos de dicho proceso, el dicho fiscal no aber probado bastante mente su intencion segun y [como] probarle convino, declaramoslo asi, y por la culpa que contra el dicho Luis de la Cruz resulta, si el rigor del /90/ derecho ubieramos de seguir, le pudieramos condenar en maiores y mas graves penas, mas querendolas moderar con equidad y misericordia, por justas causas que a ello nos mueben, le debemos de condenar y condenamos a que salga a auto publico de fe y le sea leida su sentencia con meritos, en la forma ordinaria Y otro dia despues, sea reprehendido en la sala de nuestro tribunal y sea entregado a su amo para que le enbie fuera de esta ciudad dentro de diez dias con prohibicion de bolverle a ella sin expresa licencia nuestra Y por esta nuestra sentencia en grado de vista, juzgando asi, lo pronunciavamos y mandamos en estos escritos y por ellos

Doctor Don Pedro Medina Rico [rúbrica]

Doctor [D]on Francisco de Estrada y Escouedo [rúbrica]

Doctor Don Juan [Juo ] Saenz de Mañozca [rúbrica]

El Lscenciado Don Bernabe de la Higuera y Amarilla [rúbrica]

*Pronunciacion*

Dada y pronunciada fue dicha sentencia desusoescrita por los sseñores ynquisidores que en ella firmaron su[s] nombres, estando en la sala del tribunal y audiencia del Santo Oficio en<sup>124</sup> catorce de octubre de cinquenta y nuebe, pressente el Lscenciado Andres de Zabalsa, que haçe officio de sseñor fiscal del, y el dicho Luis de la Cruz, y por testigos el Lscenciado Andres Gamero de Leon y Don Juan [Juo ] de la Zerna de Haro y Vega, notarios ayudantes deste Santo Oficio Y assi mesmo, estando pressente mesmo /91/ el Doctor Rodrigo Ruiz de Cepeda Martinez, abogado del dicho Luis de

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<sup>124</sup> En catorce de octubre de cinquenta y nuebe is written above the line

la Cruz, el qual haviendo oido y entendido dicha sentencia, con parecer y acuerdo del dicho su abogado, dixo que, hablando con el devido respecto, suplica de la dicha sentencia para que se revoque en atencion a que contra el no se le ha probado delicto de los que se le acussan, y a que segun consta por sus confiassiones se han y deben reputar por espontaneas, y espontaneamente manifestados en el todo, por no haver preceedido prueba, ni temerse este de que contra el la huviera quando los manifesto, y assi por ellos, no se le ha de imponer publica<sup>122</sup> pena Y con esto, novatione cessante, negando lo perjudicial de los mismos autos, concluya y concluyo difinitivamente Y por no saver firmar, lo firmo el dicho su abogado, conque fue mandado volver a su carcel el dicho Luis de la Cruz

Testado mente—no balga, entre renglones en catorce de octubre de cincuenta y nuebe—valga

Doctor Rodrigo Ruiz de Cepeda Martinez [rúbrica]

Ante mi

Licenciado Thomas Lopez de Erenchun [rúbrica]

/92/ [blank] /93/

Muy Ilustre Señor

Presentada en este Santo Oficio de Mexico en veinte y nuebe de octubre de cincuenta y nuebe ante el señor inquisidor visitador Doctor Rico, que asiste solo

Autos  
[rúbrica]<sup>123</sup>

[rúbrica]

El Licenciado Andres de Cabalça, que hago oficio de señor fiscal deste Santo Oficio en la causa criminal contra Luis de la Cruz, valiéndome de la suplicacion interpuesta de contrario de la sentencia dada y pronunciada por Vuestra Señoría a los catorce de octubre corriente, y hablando debidamente, digo que se ha de suplir y emendar, agrauandose las penas y imponiendose las afflictivas corporales al reo por lo fauorable que resulta de los autos, y se puede colegir de derecho, y porque el delicto de que le tengo acussado es de tan graue calidad que se prueba por testigos singulares y presumpciones y conjecturas que puedan mouer el animo a la creencia de hauerse reuelado el secreto del Santo Oficio, y ademas de los testigos que deponen de actos en que el dicho negro, Luis, falto a la fidelidad y secreto, hazen sus declaraciones

<sup>122</sup> After *publica, mente* is written and crossed out

<sup>123</sup> This and the following rúbrica are by Andrés Gamero de León,

comprobacion a dichas testificaciones, porque confiesa en la respuesta al *capítulo primero* del *testigo segundo* y en la respuesta a la monicion de tormento, hauer ydo a casa de Maria de Za[ra]te diferentes veces y ella preguntadole por el dicho Francisco Botello con el *título* y nombre de hijo del reo, en que conuiene con lo testificado con el *segundo testigo* de mi informacion Y queriendo saluar el delicto y reuelacion del secreto, procede este negro con cautela, pero tal que se descubre y se arguye claramente dicha reuelacion por lo mismo con que el la pretendio escusar, porque en la respuesta a dicho *capítulo primero*, dixo que le hauia respondido a la pregunta de como estaba su hijo que bueno, y no mas (y fuera de que hubo delicto, porque no debio decir bueno ni malo, ni exponerse yendo a veer a dicha muger, al peligro de delinquir) El que [de]sistiese alli la pregunta y la respuesta, no es verosimil en la curiosidad de vna muger, y tan interessada, y en este reo que se hauia dejado obligar con dadibas de la sussodicha, pues la repeticion de sus ydas a dicha cassa lo induyen, ademas de lo testificado Y tambien es inverosimil, porque dadibado y confessando el reo que le tenia amor a Botello por el trato antecedente a la prission y hauer sido esclauo de vna hermana del sussodicho, no es dudable que descubriria todo lo que passo en el secreto de las carceles, y el llego a alcanzar y le traeria avisos, y se los lleuaria a la dicha Maria de Zarate Y lo que descubre entre otras la malicia deste reo y la reuelacion de secreto, es que en dicha respuesta a la monicion, hauiendo confessado que fue a dicha /94/ cassa y visitado y visto y hablado a la dicha Maria de Zarate spontaneamente, dice que entraba con mala gana y se sentaba como si tuuiera o le hubieran hecho coaccion para dichas visitas que tan voluntariamente hizo Y la inteligencia que esto tiene, es que, aunque el interez le lleuaba a delinquir, la mala consciencia le inquietaba, a que se llega que el tormento fue leue, y el robusto

A Vuestra Señoria pido y supplico mande sin embargo de lo en contrario alegado, adelantar las penas de dicha *sentencia*, y para ello supliria, y emendarla so el respecto debido, ymponiendo las corporales y afflictivas con justicia, que pido costas y en lo necesario &<sup>a</sup>

*El Licenciado Andres de Çabalça [rúbrica]*

Auto de conclusion pedida  
dificultiba en revista

En el Santo Oficio de la Inquisicion  
de esta ciudad de Mexico a veinte y nueve  
de octubre de mill seiscientos y cincuenta y nueve años, estando el señor

inquisidor Doctor Don Pedro de Medina Rico, vissitador de este tribunal, en su audiencia de la tarde, solo, por estar en otras audiencias los demás señores inquisidores, abiendo visto lo alegado por las partes de este pleito en grado de revista y la conclusion pedida, dixo que abia eubo este proceso por concluso difinitivamente en dicho grado de revista Y así lo acordo, mando y firmo

Doctor Don Pedro Medina Rico [rúbrica]

Paso ante mí

El Licenciado Andres Gamero de Leon [rúbrica]

Votos en la causa contra Luis de la Cruz,<sup>¶</sup> negro, del conde de Peñalba

En el Santo Oficio de la Inquisicion de esta ciudad de Mexico a seis dias del mes de noviembre de mill y seiscientos y cincuenta y nuebe años, estando en su audiencia de la mañana en consulta y vista de procesos, los señores inquisidores Doctores Don Pedro de Medina Rico, vissitador deste tribunal, Don Francisco de Estrada /95/ de Estrada y Escobedo, Don Juan [Juo] Saenz de Mañozca y Licenciado Don Bernaue de la Higuera y Amarilla, y por consultores, los señores Licenciados Don Francisco Calderon y Romero, oidor de la Real Audiencia de esta ciudad, y de Don Juan [Juo] Manuel de Sotomaior, caballero del avito de Calatrava, alcalde en esta corte, se vio en grado de revista el proceso y causa criminal fulminada en este Santo Oficio contra Luis de la Cruz, negro, esclavo del conde de Peñalba, preso en carceles secretas Dixeron conformes, que se firmaban en los botos que tenian dados en esta causa quando la vista de ella Y así lo acordaron, mandaron y firmaron Doctor Rico, Doctor Estrada, Doctor Mañozca, el Licenciado Higuera, Licenciado Don Francisco Calderon y Romero, Licenciado Don Juan [Juo] Manuel de Sotomayor Paso ante mí Bartolome de Galdiano

Conquerda con su original que esta en el libro de votos a fojas ducentas y sesenta y una, de donde lo saque, a que me refiero Fecho en la camara del secreto deste Santo Oficio de Mexico a seis de noviembre de mill seiscientos y cincuenta y nuebe años

El Licenciado Andres Gamero de Leon [rúbrica]

Audiencia en que se le pone  
compañero en su carcel

En el Santo Oficio de la Ynquisition de esta ciudad de Mexico en siete de nobien-

<sup>¶</sup> The MS has the sign of a cross drawn, instead of the word *Cruz*

bre de mil y seyscientos y cinquenta y nueve años, estando en su audiencia de la tarde el señor ymoqñsidor Doctor Don Bernave de la Higuera y Amarilla, mando traer a ella de las carzeles secretas de este Santo Officio a Luis de la Cruz, preso en ellas Al qual, siendo presente, le fue dicho que en la bisita<sup>128</sup> pasada que se hizo en /96/ cinco de este presente mes, pido compaňia, y asi se le a mandado dar, y que en su compaňia se pone otro reo, que se le advierte no trate ni comunique con el cosa de su negocio y caussa, y que si el compaňero la dijere, pida audiencia y suva a dar quenta Y el dicho Luis de la Cruz lo prometio azer y cumplir asi, devajo del juramento que tiene fecho Y no firmo por no saver , conque fue mandado volver a su carzel, de que soy ffe.

Emendado · bisita

Don Juan [Juo ] de la Serna de Haro y Vega [rúbrica]

/97/ [blank] /98/ [blank]

/99/

El Bachiller Antonio Calderon

Número 19 Visto por nos los inquisidores apostolicos  
 Luis de la Cruz, negro contra la heretica prauedad y apostacia en  
 esta ciudad y arçobispado de Mexico, estados y prouincias de la Nueva  
 Espana, y obispados de Tlaxcala, Mechoacan, Guatemala, Guadalaxara,  
 Chiapa, Yucatan, Oaxaca, Verapaz, Honduras, Nicragua, Nueva  
 Vizcaya, Islas Filipinas, y sus distritos y jurisdicciones, por authoridad  
 apostolica &, vn processo y causa criminal que ante nos se ha seguido y  
 pende entre partes de la vna, el fiscal de este Santo Officio y en su  
 nombre, el Licenciado Andres de Cabalça que hace su officio actor accu-  
 sante , y de la otra, reo defendiente, Luis de la Cruz, negro de casta  
 angola, esclavo que esta presente

Sobre y en raçon que dicho fiscal parecio ante nos y se querello y  
 denunçio, diciendo que debiendo el sussodicho, en obserbançia de la  
 religion del juramento que preçissamente haria quando entro a seruir y  
 ayudar en los ministerios necessarios en las carzeles secretas de esta  
 Inquisicion, y por la naturaleça del exerceçio en que estaba ocupado,  
 guardar secreto y fidelidad de todo aquello que veya, oya y sabia en  
 ellas, como mal christiano y sin temor de Dios Nuestro Señor y en  
 menosprecio de la authoridad de este Santo Officio y graue daño de  
 su consciencia y detrimento de la recta administracion de justicia, falto

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<sup>128</sup> Bisita is written over audiencia.

a la fidelidad, comunicando fuera de las carceles lo que dentro de ellas pasaba, llevando y trayendo avisos y cometiendo otros delictos como constaba de las testificaciones que con la debida solemnidad presentaba, cuyo castigo tocaba a este Santo Oficio Y nos pido que hauiendo por presentadas dichas testificaciones, mandassemos despachar mandamiento de prision contra la persona del dicho negro, Luis de la Cruz, que estando presso, lo protestaba acusar Y vistas dichas testificaciones, mandamos despachar y despachamos nuestro mandamiento de prision contra el dicho Luis de la Cruz

Y estando en carceles secretas, se tubo con la primera audiencia de officio, hauiendo jurado de decir verdad, assi en dicha /100/ audiencia como en todas las demás que con el se tuviessen Declaro ser el contenido en dicha denunciaion y querella, y que hauia sido esclavo de Ines Pereira, que despues fue pressa y reconciliada por este Santo Oficio, y se hauia quedado siruiendo en las carceles secretas, ayudando a los alcaydes, en que se ocuparia catorce años hasta que el señor inquisidor visitador lo mando vender

Y dixo no saber en manera alguna ni presumir la causa de su prision Y en dicha audiencia y en otras dos que con el dicho Luis de la Cruz se tuvieron de officio, se le hicieron las tres moniciones ordinarias sobre que dixesse y confessasse la verdad de lo que se sintiesse culpado y supiesse de otras personas que fuese o pareciesse ser contra nuestra Santa Fee Catholica o contra el recto y libre exerçio del Santo Oficio, sin levantarse a si ni a otro, falso testimonio, descargando su conciençia para que su causa fuese despachada con toda la breuedad y misericordia que hubiese lugar, donde no, se proueria justicia A que respondio que no se acordaba en manera alguna de cosa que debiesse decir de culpa que el hubiese cometido o visto cometer a otros, tocante al Santo Oficio

#### *Acusacion*

Y en este estado parecio ante nos el dicho fiscal y puso accusacion al dicho Luis de la Cruz, en que dixo que el susodicho, con poco temor de Dios Nuestro Señor y en menosprecio de la jurisdiccion y mandatos de este Santo Oficio, y en graue daño de su conciençia, como mal christiano, hauia cometido delictos dignos de exemplar castigo, faltando a la fidelidad y secreto que debio obseruar en todas las cosas que vido, oyo y entendio en lo interior de las carceles secretas como siruiente que fue de ellas, en obseruançia del juramento que preçissamente se le recibiria al tiempo que entro a vsar dicho ministerio, de que pedia se pusiesse testimonio en los autos, y quando /101/

no se le recibiesse, que no era posible menos, por raçon de la materia y exercicio estaba obligado a guardar toda fidelidad y secreto Y rebelando muchas y diferentes cosas, corrompido del interez por personas interezadas, daba y dio avisos muy prejudiciales, de que se originaron muchos daños y pudieron originar mayores en el tiempo que el susodicho assistio en dichas carceles, de que le accusaba en general y en particular de lo siguiente

Que, estando preso en dichas carceles cierta persona (marido de otra cierta persona que estaba fuera) por herege judaizante, dejandose corromper el dicho Luis de la Cruz con dadias y regalos que le hñco la dicha muger, como falso e infiel a la legalidad y secreto que tubo obligacion de guardar, yba de ordinario a la casa de dicha muger y le contaba, como le conto, todo quanto passaba en lo interior de dichas carceles, assi tocante a dicho reo, su marido, como de otras personas que entonces estaban presas Y por mano del dicho Luis de la Cruz se le entraban al dicho reo algunas cosas de regalo, comestibles y otras como poluos de tabaco Y dio noticia de que le hauian de dar tormento, en cuya preencion era, sin duda, que tambien le entraria algunos remedios estupefacientes que le preuendria la dicha muger, que tomaria el dicho reo para no sentir el tormento, que con efecto se le dio, y en el estubo negatiuo De que tambien aviso el dicho Luis de la Cruz a la dicha muger despues de hauersele dado Y assimesmo se dejaba entender que entraria papeles y avisos a todos los demas presos de parte de afuera, y de los vnos a los otros, avisandose por este medio del estado de sus causas de las personas presas y del estilo y modo que hauian de tener para encubrir en sus confesiones a los complices, y para otras muchas cautelas para que los reos y sus dependientes procuraban por todos caminos buscar persona que ayudase a sus intentos, /102/ como lo hñco el dicho Luis de la Cruz, arresgando por el torpe y vil precio del dinero y dadias que le dieron y recibio, negocio tan graue y de tan summa importancia como era el que se trataba en dicha complicidad

Y que era tanta verdad lo referido que por vn dia del mes de agosto del año pasado de seiscientos y<sup>100</sup> quarenta y cinco, tiempo en que seruia el dicho Luis de la Cruz en dichas carceles, cierta rea estubo muy inquieta a la puerta de su carcel, llorando y dando muchos suspiros y sollocos Y oyendola dos reos que juntos estaban en vna carcel, vinieron

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<sup>100</sup> After y, cinq is written and crossed out

a la ventana, y vno de ellos hablo a la dicha rea, diciendole que dixesse que tenia, y que hablasse, que no tuviesser temor A que respondio la sussodicha que no era hora, que a la vna de la noche les hablaría Y llegada la hora citada, se hablaron, y dicho reo dixo a dicha muger quien era, y la pregunto si lo conoçia A que respondio dicha presa que si, y que desde que estaba en dichas carceles sabia muy bien que estaba en la carcel desde donde la hablaba, y el compañero con quien estaba, y que vna hija suya estaba arriba de su carcel de dicha presa en el mismo callejon, y que el Hermitaño de la Venta estaba allí, y entre ella y dicho hermitaño estaba vn espreita, que quiere decir escucha Y preguntandole dicho presso a la dicha muger, que quien se lo hauia dicho, ella respondio en lengua mexicana que su gueytitilqui, que quiere decir que su negro el grande, que apclaba sobre el dicho Luis de la Cruz Y no hauiendo oydo bien el dicho presso, se lo boluió segunda vez a preguntar Y dicha muger respondio "A quien tengo yo, que me lo pueda decir, que ande suelto aqui siruendo" Conque dandose /103/-dose por entendido dicho presso, la dixo que callasse, que no dixesse mas De que se conoçia claramente que no solo entraba avisos a los pressos y los boluiá afuera de las carceles, sino que de vnos a otros los llevaba y daba raçon de los nombres y personas que estaban presas y de las carceles donde estaban, y de quienes se hauian de rezellar para que en sus comunicaciones se cautelassen, como se cautelaban, como despues se diria Y que este rezello en la dicha reanación de que el dicho Luis de la Cruz la dixo que vn presso que estaba junto a su carcel era, como dicho es, espreita (esto es escucha), y que mirasse lo que hacía, que no hablasse palabra con nadie porque luego los hauia de accusar Y esta dio por causa de escusa la dicha rea a dicho presso de no hauerle hablado hasta entonces, sin embargo de hauer sabido desde que entro presa que le tenia por vezina

Y que algunos otros reos en sus comunicaciones se rezellaban de hablar con claridad y a todas horas, diciendo que hauia espreitas Y preguntando cierto reo a otro, quien se lo hauia dicho, le respondio que vn negro, que, sin duda ninguna, seria el dicho Luis de la Cruz, por ser en aquel tiempo siruiente y estar acostumbrado a manifstar y reuelar el secreto y dar avisos como llevaba dicho a los pressos Y que despues de algun tiempo considerable, estandose comunicando la dicha muger con otro distinto presso, y ambos rezellados por dudar quien fuese el presso que tenia por vezino la dicha muger, y si era el mismo que antes estaba, dixo el dicho presso que facil era assegurarse, preguntandoselo al negro De cuyas palabras y de las de la respuesta, que fue que no le

dejaban entrar solo y que andaba Pedro o el otro viejo pegado con el, que ni aun mirar le dejaban, se arguya que quando entraba solo el dicho Luis, les habla-/104/ba, y comunicaba todo lo que querian como de los capítulos antecedentes se conoçia Y el tener ese cuidado con el dicho Luis de la Cruz naçio de hauarse tenido noticia que, entrando solo a los ministerios en que se ocupaba, era infiel y comunicaba y daba avisos a los dichos presos

Y que en otra occaçion de comunicación que tubieron algunos de los presos, diciendo vno que, al que estaba vezino a dicha muger (que era el que, como se hauia dicho, trataban de descubrir y saber quien era), lo hauia maltratado el alcayde La dicha muger respondio "Plegue a Dios que oregano sea" Con todo esto, hablo con miedo Y diciéndole otra rea que le hauia tenido lastima, respondio la dicha muger: "No estoy satisfecha, ni lo estare hasta satisfacerme de mi bugio," (que quiere decir negro), que era el dicho Luis de la Cruz, porque este fue el que la dixo que era espreita el dicho presso, y por dudar si le hauian mudado o no, y si era o no el que antes estaba, vivia con estos reçelos la dicha muger mal segura, esperando salir de su duda por medio del dicho Luis de la Cruz, que la hauia informado de quien era dicho hombre y la daba los avisos que iban referidos y le importaba saber Y que sin embargo de que todo lo referido constaba de su información, y hauer cometido dichos delictos el dicho Luis de la Cruz, en las audiencias que con el se hauian tenido, aunque hauia sido amonestado dixesse y declarasse la verdad debajo de juramento, hauia estado y estaba negatiuo Conque se hauia echo indigno de la misericordia que este Santo Officio acostumbra tener con los buenos y verdaderos confitentes, demas de lo qual, era de creer que el dicho Luis de la Cruz hauia echo, dicho y co-/105/metido otros muchos delictos mas y menos graues, vistolos haçer, decir y cometer a otras personas, lo qual callaba y encubria maliçiosamente, de que protestaba accusarle siempre que a su noticia viniesen en el progreso de la causa Y desde luego, le accusaba y de perjurio infiel a la obligación de su officio, y desobediente a los mandatos de este Santo Officio, y hauer faltado al secreto que se le encargo y prometio y debio obseruar en todos los casos y cosas que vio, oyo y entendio en el ministerio de siruiente de dichas carceles

Por todo lo qual nos pedia y suplicaba, que hauida su relación por verdadera en la parte que bastasse, por nuestra sentencia definitiva, declarassemos su intención por bien probada, y al dicho Luis de la Cruz por echor y perpetrador de los delictos de que le accusaba, y como atal,

le condenassemos en las mayores y mas graues penas en que, conforme a derecho, huiese incurrido, estableçidas contra semejantes delinquentes, executandolas en su persona para que le siruiesse de castigo, y a otros de exemplo Y que en caso que su intencion no se diesse por bien probada, nos suplicaba mandassemos condenar y condenassemos al dicho Luis de la Cruz a question de tormento, en el qual estuuiesse y perseuerasse y en su persona se repitiesse hasta que enteramente dicesse y confessasse la verdad Y si mas y mejor le conuenia pedir, lo pedia,<sup>120</sup> y sobre todo serle echo entero cumplimiento de justicia Y juro en forma la dicha su accusacion

Responde A la qual respondio ser el contenido en ella, y que quando fue recebido en este Santo Officio para el seruicio de las carceles secretas y pressos, hiço juramento de fidelidad y secreto, y se lo aduirtieron los señores inquisidores y tambien otras personas, y que assi lo hauia teni-/106/do y guardado Y no tenia necessidad de quebrantarlo, pues le daban todo lo neccesario en casa del alcayde Y que assi negaba el hauer dado los avisos ni echo lo demas que se referia en dicha accusacion

Y hauiendosele mandado dar y dado traslado y nombrado letrado para sus defensas con su acuerdo y parecer, dixo que el tenia dicha y confessada la verdad como parecia de sus confessiones, a que se referia, y negaba lo demas contenido en la dicha accusacion, y de ella pedia ser absuelto y dado por libre, y que siendole dada publicacion de testigos, protestaba alegar mas en forma lo que a su justicia conuiniesse Y concluyo para el articulo que huiresse lugar de derecho Con lo qual se recibio la causa a prueba

Y se le dio la publicacion de testigos, a que respondio en la forma que a la dicha accusacion y que cierto preso, cuyo nombre declaro, en el tiempo de las complicidades que el seruia en las carceles secretas, le hauia lebantado falso testimonio de que hauia dicho a cierta pressa que no hablasse, y que por esto la dicha pressa no hauia hablado, ni querido hablar con otro preso, que era su marido, y que en el dicho tiempo hauia ydo algunas veces a veer a la muger de Francisco Botello, que vivia en su meson; y que le preguntaba como estaba su marido Botello, y que el la respondia, que bueno y no mas, y que el no la hauia dicho nada de lo que passaba en las carceles, pero que el dicho Botello no le hauia preguntado nada, ni el le dixo nada, y que esta era la verdad y no lo podia

negar Y que la dicha muger del dicho Botello no le hauia dado nada, solo le daba vn tecomate de chocolate, y en bebiendole salia de alli a Dios hasta /107/ hasta otro año Ni aun medio real le dio para tabaco Y que quando salio el dicho Botello de las carceles, lo iba el a veer al dicho messon y le decia "Toma, padre Luis, medio real para tabaco" Y el lo tomaba porque ya estaba fuera el dicho Botello Y que se acordaba, y era verdad, que alguna vez le dixo la muger del dicho Botello que si este reo podia traer vnos biscochos al dicho su marido, a quien la dicha su muger llamaba hijo de este reo Y que el la decia que no podia Y que nunca la hauia dicho nada de lo que passaba en las carceles ¿Y que le daba ella para que el la duxesse nada?

Y hauiendosele mandado dar y dado traslado de la dicha publicacion de testigos y comunicadola con el dicho su letrado, con su parecer, dixo que el tenia dicha y confessada la verdad como constaba de sus confessiones a que se referia Y que segun la dicha publicacion de testigos que se le hauia dado, solamente se hallaban dos y el vno que deponia de oydas agenas, lo qual se debia attender por este Santo Tribunal para la determinacion de su causa, y a su incapacidad conque no supo discernir la mayor obligacion que tenia a lo que le estaba mandado, por ser, como era, negro boçal Y que siendo de actos secretos de los que le testificaban, no podia dar mas descargo en su defensa del que llevaba puesto<sup>131</sup> Y concluyo de los mismos autos difinitivamente, pidiendo se vsasse con el de toda misericordia por lo que llevaba expressado Lo qual se mando notificar y notifico al dicho fiscal

#### Tortura

Y estando conclusa la causa, hauido nuestro acuerdo y parecer con personas de letras y rectas conciencias, se procedio a cierta diligencia secreta Y hauiendosele echo la monicion acostum-/108/brada, dixo que la verdad era que en el tiempo que Francisco Botello estaba presso en las carceles secretas que este Santo Oficio tenia en las casas de Picaso, hauia este reo passado en vna ocacion por la calle donde hauia vivido el dicho Francisco Botello, y adonde actualmente vivia Maria de Carate, su muger, que era en vna casa de messon en la calle de Sant Juan Y que a la puerta de dicho messon estaba vn muchacho ya grande, que andaba al estudio y aprendia para curar como medico, cuyo nombre declaro, hijo de hermana del dicho Francisco Botello Y que el dicho moço en dicha ocacion, llamo a este reo, diciendole "Ven aca, padre Luis, ven a veer a mi tia" Y que el entro en dicho

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<sup>131</sup> MS. *pruesto*

messon, y la dicha Maria de Çarate lo recibio y lo hiço sentar en vn banco, y ella se sento en su estrado cerca del Y que presente el dicho moço en pie en la propria puerta de la sala, de suerte que podia oyr lo que dixesse la dicha Maria de Çarate y lo que dixesse este reo, sin auer otra persona presente, le preguntó la dicha Maria de Çarate a este reo “¿Como esta tu hijo?” (diciéndolo por el dicho Francisco Botello su marido), porque el dicho Francisco Botello le llamaba de padre, porque quando Ana Gomez, prima hermana del dicho Francisco Botello le compro, era moçeton el dicho Francisco Botello Y por esso le llamaba de padre, y se tenian amor y querian mucho Y que a la pregunta de la dicha Maria de Çarate, la respondio que bueno estaba el dicho Francisco Botello Y que ella le boluió a decir “¿Quieres llebar a tu hijo vnos biscochos?” Y que respondio que no podia Y que le insto que si queria traerle vnos poluos de tabaco, y la respondio que no Y que le dio vn tecomate /109/-mate de chocolate, y el lo tomo y lo hiço cierta negra esclava de la dicha Maria de Çarate

Y que estando preso el dicho Francisco Botello en las carceles de esta Inquisicion, riñó con vn ayudante de alcayde, y le echaron vnos grillos al dicho Botello por mano de este reo Y que era verdad que el diablo llebo aquel dia a este reo a casa de la dicha Maria de Çarate y lo entro en ella el dicho moço llamandolo, y lo recibio la dicha Maria de Çarate, sentandose la sussodicha en su estrado y este reo en vn banco cerca, y el dicho moço a la puerta en pie como la vez passada Y que le preguntó la dicha Maria de Çarate “¿Como esta tu hijo?”, diciéndolo por el dicho Francisco Botello Y que la respondio que estaba bueno, pero no la dixo lo de los grillos ni otra cosa Y que luego le preguntó la dicha Maria de Çarate por alguna gente que estaba pressa en esta Inquisicion, conuiene a saber, por la muger de Simon Vaez y por la muger de Peralta, que viuia en la calle de Tacuba, y tambien por el dicho Simon Vaez, y si estaban viuas o muertos Y que el la respondio que no lo sabia Y que no le preguntó por mas Y que le dio chocolate que lo hicieron, y que el lo tomo y bebio Y que la dicha Maria de Çarate le dixo que traxesse al dicho su marido vn papel de tabaco, y se lo metiesse en la faltriquera y vnos biscochos, y se los diesse a dicho su marido Y que el la respondio que no podia Con lo qual se vino y no passo otra cosa

Y que demas de estas dos veces hauia ydo otras dos a casa de la dicha Maria de Çarate, y entraba con mala gana y se sentaba donde antes dejaba dicho, y la dicha Maria de Çarate tambien, y el dicho moço estaba assentado en la propia sala escribiendo en sus papeles Y la dicha Maria

de Çarate le preguntaba "¿Como /110/ esta tu hijo?", diciéndolo por el dicho Francisco Botello Y el la respondia que bueno Y ella le encargaba que tubiesse cuidado con dicho su hijo para darle lo neçessario Y que tambien el dicho moço le preguntaba "¿Como esta mi tio?", y el le respondia, "Bueno" Y que no passaba otra cosa Y le daban siempre chocolate echo que bebia, y que no<sup>\*\*</sup> le dio jamas otra cosa alguna, ni passaba otra cosa cerca de lo contenido en la monicion que se le auia echo Y en la execucion de la dicha diligencia secreta, confessó otros particulares que no son de esta causa Y a tercero dia se ratifico en lo que hauia confessado, assi despues de hauersele echo dicha monicion como en la execucion de dicha diligencia

Conclue Y estando en este estado la causa, hauido nuestro acuerdo y parecer con personas de letras y rectas conciencias, dimos y pronunciamos nuestra sentencia de vista, del tenor siguiente

*Christi nomine inuocato*

Fallamos, attentos los autos y meritos del dicho processo, el dicho fiscal no hauer probado bastante mente su intencion segun y como probarle conuino Declaramoslo assi: Y por la culpa que contra el dicho Luis de la Cruz resulta, si el rigor del derecho hubieramos de seguir, le pudieramos condenar en mayores y mas graues penas, mas, queriendolas moderar con equidad y misericordia, por justas causas que a ello nos mueuen, le debermos de condenar y condenamos a que salga a auto publico de fee, y le sea leyda su sentencia con meritos en la forma ordinaria Y otro dia despues sea reprehendido en la sala de nuestro tribunal y sea entregado a su amo para que le imbie fuera de esta /111/ esta ciudad dentro de diez dias, con prohibicion de boluerle a ella, sin expressa licencia nuestra Y por esta nuestra sentencia, en grado de vista juzgando, assi lo pronunciamos y mandamos en estos escritos y por ellos

La qual sentencia se le notifico en presencia de su abogado, con cuyo parecer y acuerdo suplico de ella, para que se reuocasse en atencion a que contra el no se hauia probado delicto de los que hauia sido accusado, y a que lo que por sus confessiones constaba, se hauia y debia reputar por espontaneamente manifestado en el todo por no hauer preceido prueba, ni temerse que contra el la hubiera quando los manifesto Y que assi por ellos no se le hauia de poner publica pena Y con esto, nouatione cessante, negando lo perjudicial de los mismos autos, concluyo

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<sup>\*\*</sup> No is inserted above the line

definitivamente, lo qual se mando notificar y notifico al dicho fiscal

El qual, valiendo de la suplicacion interpuesta por este reo, dixo que se hauia de emendar y suplir la dicha sentencia, agrauandose las penas y imponiendosele afflictivas corporales, porque el delicto de que le tenia accusado era de tan graue calidad que se probaba por testigos singulares, y por presumpciones y conjecturas que podian mouer el animo a la creencia de hauerse reuelado el secreto del Santo Oficio, que todo constaba por su informacion y las mesmas confessiones de este reo

Y hauido este processo por concluso definitivamente en grado de reuista, y nuestro acuerdo y deliberacion con personas de letras y rectas conciencias,

#### *Christi nomine invocato*

Fallamos que la sentencia dada y pronunciada en esta causa a los catorce de octubre de este pre-/112/sente año de seiscientos y cinqüenta y nueve, fue y es justa, y a derecho conforme, y como tal, la debiamos de confirmar y confirmamos en todo y por todo Y por esta nuestra sentencia, definitivamente juzgando en grado de reuista, assi lo pronunciamos y mandamos en estos escritos y por ellos

Doctor Don Pedro Medina Rico [rúbrica]

Doctor [D]on Francisco de Estrada y Escouedo [rúbrica]

Doctor Don Juan [Juo ] Saenz de Mañozca [rúbrica]

El Licenciado Don Bernabe de la Higuera y Amarilla [rúbrica]

Pronunciacion Dada y pronunciada fue esta sentencia por los señores ynnquisidores que aqui firmaron sus nombres (a que no se hallo el hordinario aunque esta firmada de su nombre), estando en la Plaça Mayor, junto a las cassas de Cavildo de esta ciudad de Mexico, celebrando<sup>123</sup> auto general de ffe en unos cadahalsos y tablado grande en diez y nueve de nobienbre de mil y seyscientos y cincuenta y nueve afios, presente el dicho Luis de la Cruz, negro A que se hallo presente el Licenciado Don Andres de Zavalza, que aze oficio de señor fiscal de este Santo Oficio, y los señores Don Marcos Alonso de Huydobro, Licenciado Thomas Lopez de Erenchum, Licenciado Andres Gamero de Leon, Bartolome de Galdiano, notarios ayudantes del secreto de este Santo Oficio, y otras muchas personas, de que doy ffee

Entre renglones celebrando auto general de ffe—valga [rúbrica]<sup>124</sup>

Don Juan [Juo ] de la Serna de Haro y Vega [rúbrica]

<sup>123</sup> Celebrando auto general de ffe is written above the line

<sup>124</sup> Rúbrica of Serna de Haro y Vega

Auto

En el Santo Oficio de la Inquisicion de esta ciudad de Mexico a primero de diciembre de mil y seiscientos y cincuenta y nueve años, estando en su audiencia de la mañana los señores inquisidores Doctores Don Pedro de Medina /113/ Rico, vissitador de este tribunal, Don Juan [Juo] Saenz de Mañozca y Licenciado Don Bernave<sup>185</sup> de la Higuera y Amarilla solos, por estar ausente el señor inquisidor Doctor Estrada, abiendo visto este proceso, dixeron que debian de mandar y mandaron se notifique al conde de Peñalba, o a quien por dicho conde fuere parte, parezca a receber al negro, Luis, esclavo suyo, reo en esta causa, quedando obligado a pagar las costas<sup>186</sup> de las cuales se haga tasaçion luego, y asi lo acordaron, mandaron y firmaron

Doctor Don Pedro Medina Rico [rúbrica]

Doctor Don Juan [Juo] Saenz de Mañozca [rúbrica]

El Licenciado Don Bernabe de la Higuera y Amarilla [rúbrica]

Paso ante mi:

El Licenciado Andres Gamero de Leon [rúbrica]

Quenta de lo que montan los alimentos que a gastado este reo desde el dia doce de mayo del año pasado de mil seiscientos y cincuenta y seis que entro preso, hasta el dia de la fecha, tres de diciembre de mil seiscientos y cincuenta y nueve años, asi en ellos como en los gastos extraordinarios que son barberia, ropa de su bestir, loça y vidriado, labada de ropa, gastos de verdugos y medicinas para curarlo, que son en la manera siguiente

De la comida de cada dia y adición de racion que fue una quartilla por dia desde diez y ocho de setiembre de dicho año de cincuenta y seis mil y ducientos y noventa y siete dias Haçen dos mil treçientos y cincuenta y ocho reales

2M358 reales<sup>187</sup>

De treinta, digo quarenta y tres messes de barberia, a real cada mes quarenta y tres reales

OM043 reales

De camisas, freçadas, capatos y un jubon ciento y treinta y siete reales

OM137 reales /114/

<sup>185</sup> MS Beranave

<sup>186</sup> For methods of financing prisoners, see Lea, *Hist Ing Spain*, II, 528-34

<sup>187</sup> From 1642-86, the peso of eight reales was worth \$1 5844 equivalent par value in U S currency as of January, 1936 J Villasana Haggard, *Handbook for Translators of Spanish Historical Documents* (Austin, Texas, 1941), p 106 M is used to transcribe a C written upside down in the MS

De loça y bedriado de cada mes, uno con otro a real quarenta y tres reales	OM043 reales
Tomada raçon en el libro de entradas y salidas a foxas 33 [rúbrica] <sup>120</sup>	De labar la ropa todo el dicho tiempo sesenta y ocho reales OM068 reales
De tabaco quarenta y quatro reales y medio	OM044 reales $\frac{1}{2}$
De medicamentos y gasto de berdugos quarenta y dos reales	OM042 reales
Item mas seis reales y tres quartillas del gasto ordinario de los tres dias deste presente mes de diciembre - - -	OM006 reales $\frac{1}{2}, \frac{1}{4}$
	2M742 reales, $\frac{1}{4}$

Y mas lo que fuere gastando mientras su amo lo dejare estar en la carcel comun, donde de presente esta Y los dichos gastos suman y 342 pesos, 6 reales, 1/4 montan dos mill setecientos quarenta y dos reales y una quartilla, salbo error, que hacen pesos trecientos quarenta y dos pesos y seis reales y quartilla La qual dicha cuenta tenga ajustada por su proçeso, por el libro de visitas de carceles, por las cuentas de gastos ordinarios del proveedor, y por las de gastos extraordinarios del alcaide, y esta ajustada segun mi leal saber y entender Ffecha en este Santo Oficio de Mexico en tres de diciembre de mill seiscientos y cincuenta y nuebe años

El Licenciado Andres Gamero de Leon [rúbrica]

Hasta oí, 17 de enero de  
1660, a hecho mas de costa  
en alimentos, once pesos ca-  
bales /115/

Al conde de Pefialba, o a quien por su señoría fuere parte, que venga  
luego a entregarse de su esclavo, Luis de la Cruz, pagando las costas que  
a causado en sus alimentos durante su prisión

16	Monta todo lo gastado por este negro
8	hasta oí, 3 de diciembre [Xbre] de 1659
<hr/> 128 <sup>121</sup>	años de todo gasto trecientos quarenta y dos pesos, seis reales y una quartilla, M342 pesos, 6 reales, $\frac{1}{4}$ , como parece del ajustamiento de su cuenta por menor, que esta en su proçesso
	[rúbrica] <sup>122</sup>

<sup>120</sup> Rúbrica of Galdiano

<sup>121</sup> A line is drawn through 128

<sup>122</sup> Rúbrica of Gamero de León

Yo, Diego Peres Rivero, nuncio y portero de este Santo Oficio, certifico como abiendo ydo por mandado de los mui ylustres señores de este Santo Tribunal a las casas de la morada del conde de Peñalba a haserle notoria la demanda y recaudo arriba ynserta, y abiendo preguntado si estaba en casa, salio a preguntarme a la puerta de su almasen de azucar, Francisco Esteban,<sup>141</sup> caballero del abito de Santiago, aguelo del susodicho, que para que le buscaba A lo que le respondi que para que embiase por Luis, negro, su esclavo, por mandarmelo asi: dicho tribunal, y que pagase la costa que dicho esclavo abia hecho durante el tiempo de su prision A lo que me respondio el dicho Francisco Esteban que queria saber que cantidad era Y abiendole enseñado la dicha memoria, me respondio que el tenia poder jeneral del dicho conde, su nieto, y asi mismo de su madre, para haser y desaser de toda su hacienda Y que en esta conformidad, desde luego se desistia del ausion y derecho que tenian al dicho Luis, su esclavo, y que hasia gracia y donacion del, al real fisco, para no pedir, aora ni en ningun tiempo, ningun derecho que pueda alegar sobre el dicho esclavo Y porque conste, doi: el presente testimonio en Mexico a trese dias del mes de enero de mil y seiscientos y sesenta años Y lo firmo en testimonio de berdad

Diego Peres [rúbrica] /116/

Auto

En el Santo Oficio de la Ynquisicion de esta ciudad de Mexico en diez y siete de enero de mil y seyscientos y sesenta años, estando en su audiencia de la mañana los señores ynquisidores Doctores Don Francisco de Estrada y Escobedo, Don Juan [Juo] Saenz de Mañozca, Licenciado Don Bernave de la Higuera y Amarilla, duxeron que por quanto Diego Perez Rivero, portero de este Santo Oficio, como consta de la plana rectro escrita, requirio a Francisco Esteban, caballero de la Orden de Santiago, pagase al fisco de este Santo Oficio trecientos y quarenta y dos pesos y seis reales y una quartilla de costas causadas en el tiempo de la prision de Luis de la Cruz, negro, su esclavo, y respondio lo que certifica el dicho Diego Perez<sup>142</sup> En dicho requerimiento se le notifique por el presente notorio ayudante del secreto al dicho del secreto, al dicho Francisco Esteban de y pague los dichos trecientos y quarenta y dos pesos y una quartilla y lo demas causado de costa asta oy, dicho dia, y aviendolo hecho, se le entregue el

<sup>141</sup> Francisco Esteban Beltrán See Guijo, op cit., p 84

<sup>142</sup> After *Peres*, yo is written and crossed out

dicho negro, Luis, su esclavo, para que cumpla el tenor de su sentencia  
 Y en el ynterim, el dicho negro, Luis de la Cruz, sea puesto en deposito  
 por el contador, Pedro de Soto Lopez,<sup>143</sup> alguacil mayor de este Santo  
 Oficio, y el presente notario en el obraje de Bartolome Cardoso,  
 vecino de esta ciudad, a el qual se le encargue su vuen tratamiento, y que  
 lo tenga con prisiones asta que otra cossa se le mande Y asi lo acordaron  
 y firmaron

Testado yo—no balga  
 Doctor Estrada [rúbrica]  
 Doctor Mafiozca [rúbrica]  
 El Licenciado Higuera [rúbrica]  
 Ante mi  
 Don Juan [Juo] de la Serna de Haro y Vega [rúbrica]

En la /117/ En la ciudad de Mexico a veinte y dos dias del mes de  
 henero de mil y seyscientos y sesenta años, yo, el presente notario  
 ayudante del secreto de este Santo Oficio, ley y notifique el auto rectro  
 escrito de los muy illustres señores yngquisidores a Francisco Estevan,  
 caballero de la Orden de Santiago, diese y pagase trecientos y quarenta  
 y dos pesos y seys reales y una quartilla con mas, doze pesos y medio  
 que<sup>144</sup> Luis, negro, su esclavo, havia hecho de costa en este Santo Oficio  
 desde tres de diciembre del año pasado de mil y seyscientos y cinquenta y  
 nueve asta el presente dia, veinte y dos de henero de este presente año,  
 que todo monta trecientos y cinquenta y cinco pesos, dos reales y una  
 quartilla , y que, esto fecho, recibiese al dicho negro, Luis de la Cruz El  
 qual dijo que ya tenia dicho que no queria pagar la cantidad de costas  
 que havia echo el dicho negro, Luis, sino que el Santo Tribunal tomase  
 el negro por la ducha cantidad , que el no le queria como ya lo tenia  
 dicho , i esto dio por su respuesta, de que soy ffe

Don Juan [Juo] de la Serna de Haro y Vega [rúbrica]

Auto

En el Santo Oficio de la Yngquisicion  
 de esta ciudad de Mexico en veinte y quatro de henero de mil y seyscientos  
 y sesenta años, estando en su audiencia de la mañana los señores  
 yngquisidores Doctores Don Francisco de Estrada y Escobedo, Don  
 Juan [Juo] Saenz de Mañozca, Licenciado Don Bernave de la Higuera  
 y Amarilla, haviendo visto la respuesta dada por Francisco Estevan,

<sup>143</sup> He died in 1661, leaving an estimated estate of 900,000 pesos

<sup>144</sup> MS ques

caballero de la Orden de Santiago, a la notificacion del auto rectro escrito, dijeron que devian de mandar y mandaron que Luis, negro, contenido en estos autos, se venda en publica almoneda por del [sic] real fisco de esta Ynqquisicion para que de /118/ su procedido se le haga pago al dicho real fisco de los trecientos y cincuenta y cinco pesos y dos reales y una quartilla, que de los alimentos de dicho negro, Luis, se le devien, y mas lo que hiciere de costas asta su efectiva venta Y asi lo acordaron, mandaron y firmaron

Doctor Estrada [rúbrica]

Doctor Mañozca [rúbrica]

El Licenciado Higuera [rúbrica]

Ante mi

Don Juan [Juo ] de la Serna de Haro y Vega [rúbrica]

/119/ [blank] /120/ [blank]

/121/

Muy Yllustre Señor

Presentada en este Santo Oficio de Mexico en veinte y ocho de henero de mil y seyscientos y sesenta, ante los señores ynqqusidores Doctores<sup>147</sup> Estrada y Mañozca, estando en su audiencia de la mañana

Testado Mañozca—no balga [rúbrica]<sup>148</sup>

Que se junte con los autos y los vea el señor fiscal y de su parecer [rúbrica]

Francisco Hortuño, en nombre de Doña Margarita de Esquivel y Arçate, condeça de Peñalba,<sup>149</sup> digo que a su noticia ha llegado que por sentencia deste Santo Tribunal, se condeno a Luis, negro esclauo, de mi parte, que hubo del real fisco deste Santo Officio, en que pagasse cantidad de pessos de los gastos que a caussado durante la prission en que a estado Y respecto de que mi parte tiene por bien que por ellos se quede el dicho esclauo en el real fisco para que del se haga pago, desde luego renuncia el derecho que al dicho esclauo tiene, y entrega el titulo y remate en cuya virtud le poseya, que es el que pressento con la solemnidad neçessaria, con que se declare auer cumplido con lo que se manda

<sup>147</sup> After *Doctores*, *Mañozca* is written and crossed out

<sup>148</sup> The rúbricas to the two notes that begin this page are those of Serna de Haro y Vega

<sup>149</sup> She is the wife of Don Garcia de Valdés Osorio, daughter of Don Francisco Esteban Beltrán, and mother of Don Garcia de Valdés Osorio y Alzate Cf Ortega y Perez Gallardo, *loc cit*, and Guijo, *op cit*, pp 108 and 348.

A Vuestra Señoria Yllustrissima pido y supplico, auiendo por pressentado el dicho titulo y admitiendo este ofrecimiento, sea seruido de mandar se adjudique el dicho esclauo al *real fisco* deste Santo Officio, pues es quien causso las costas, para que del se satisfagan, declarando auer cumplido mi parte con dicho entregoo a lo mandado<sup>108</sup> por Vuestra Señoria Yllustrissima, y que se me de testimonio del entregoo de dichos recaudos para en guarda del derecho de mi partte, en que recibiría merced con justicia que pido y en lo necesario &

Ffrancisco Hortuño [rúbrica] /122/ [blank] /123/

Don Marcos Alonso de Huydobro, secretario del Santo Officio de la Ynqquisicion de la ciudad y reyno de Cordoua y de la Visita de la Ynqquisicion desta ciudad de Mexico en que esta entendiendo el señor ynqquisidor Doctor Don Pedro de Medina Rico, testifico que por un quadernillo de autos de la venta de Luis, moreno, de casta angola, esclauo del real fisco de dicha Ynqquisicion, consta y parece que el dicho señor visitador por su auto de doce de henero pasado deste año, mando que el contador Don Bartolome Rey y Alarcon, receptor de dicha Ynqquisicion, recibiese en si dicho esclauo y lo pusiese en venta y almoneda para hauerse de rematar en quien mas diese por el, continuando la almoneda por el tiempo que pareciese justo, dando quenta de las ultimas posturas para que, estando en su justo precio, se mandase rematar Y en ejecucion de dicho auto se trajo en publico pregón y venta el dicho esclauo desde quatro de febrero pasado deste año hasta cinco dias deste presente mes, en diferentes días Y auiendo dado quenta al dicho señor visitador por el dicho receptor en primero deste presente mes de la ultima postura de ducientos y cincuenta pesos para que se mandase rematar, por su auto de dicho dia señalo el dia miercoles, tres deste presente mes en que se hiciese el remate Y auiendo citado las personas que hauian hecho posturas y /124/ pujas, parece que en cinco deste presente mes se hicieron diferentes pujas y mejoras sobre la referida, y la ultima que se hizo fue de trescientos y diez pesos de oro comun de contado, por Francisco Rato, criado de la señora Doña Margarita Beltran de Alçate, condesa de Peñalba, para la dicha señora condessa, y se dieron diferentes pregones con ella, y por no hauer persona que la mejorase, se hizo el remate y venta en el dicho Francisco Rato con los dichos trescientos y diez pesos de contado, los quales parece, pago la dicha señora Doña Margarita Beltran de Alçate, condesa de Peñalba al

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<sup>108</sup> MS *mandedado*

dicho receptor El qual le dio carta de pago dellos en cinco deste presente mes ante Miguel de Almonacir, notario de sequestrados de dicha Ynqquission, ante quien pasaron las diligencias de la venta y remate de dicho esclauo Y el dicho señor visitador por su auto deste dia aprouo la venta y remate del dicho esclauo hecho en el dicho Francisco Rato Y mando se diese testimonio autentico destos autos a dicha señora condesa para que le sirbiese de titulo y venta Y el remate, carta de pago, y<sup>149</sup> auto de apruacion, sacados a la letra, son como se siguen

Remote En la ciudad de Mexico, jueves, qinco dias del mes de marzo de mill y seiscientos y cincuenta y cinco años, estando en la placa publica desta ciudad, /125/ y debajo de los portales de los mercaderes, el contador Don Bartolome Rey y Alarcon, receptor general del Santo Oficio de la Ynqquission desta Nueva Espana, y por ante mi, el pressente notario de sequestrados y del juzgado de los vienes confiscados, por voz de Pedro Perez, pregonero publico desta dicha ciudad, se trujo en venta y pregon al negro, Luis, de tierra Angola, perteneciente a el real fisco deste dicho Santo Oficio, diciendo el dicho pregonero "Ducientos y sesenta pesos dan por este negro, y es casado ¿Ay quien puje? ,Ay quien diga mas? Parezca, y se le admityra la mejor postura que hiçiere" Y andando en pregones, parecio Geronimo de Perea, vecino desta ciudad, y la mejororo en doscientos y sesenta y qinco pesos Y luego parecio Francisco Rato, criado de la señora Doña Margarita Veltran de Alçate,<sup>150</sup> condesa de Peñalba, y para la susodicha, y lo pusso en ducientos y ochenta pesos, y el dicho Geronimo de Perea en doscientos y ochenta y cinco, y el dicho Francisco Rato en trescientos pesos, y el dicho Geronimo de Perea en trescientos y un pesos, y el dicho Francisco Rato en trescientos y diez pesos Sobre que se dieron muchos pregones y aperçibimientos y no parecio quien mejorase la dicha postura Conque repitio el dicho pregonero "Pues que no ay quien puje ni quien diga mas que trescientos y diez pesos pagados luego de contado ¡Que buena! ,Que buena! ,Pro le aga!" Y el dicho Francisco Rato, que soy ffee que conozco, en nombre de la /126/ dicha señora condesa de Peñalba, aceto el dicho remate, y sin que contra la susodicha ni sus bienes se aga excursion de fuero ni de derecho,<sup>151</sup> cuio beneficio expresamente renunçia, pagara a el dicho contador Don Bartolome Rey y Alarcon los dichos trescientos y diez pesos de oro comun en reales, oy

<sup>149</sup> At the right of this line of the MS is an a

<sup>150</sup> See n 147

<sup>151</sup> The de of derecho is inserted above the line

dia de la fecha, y a su cumplimiento, obligo su persona y bienes, y dio poder a el mu<sup>182</sup> yllustre señor ynquisidor Doctor Don Pedro de Medina Rico, visitador general del Santo Oficio de la Ynquisition desta Nueva España, para que le conpela y apremie del cumplimiento y paga de lo que dicho es, como si fuese sentencia pasada de juez competente en cosa juzgada, a cuio fuero y jurisdiccion se sometio Renuncio el suyo propio y la ley, sid conuenerit de jurisdictione omnium judicum,<sup>183</sup> con todas las demás leyes de su fauor, con la general del derecho, y otorgo obligacion y recibo del dicho negro en bastante forma por hauerlo receuido en mi poder, de cuyo recibo y entrego doy ffee, y con cargo de que este remate a de aprouar su señoría, dicho señor visitador Y lo firmo con el dicho contador Don Bartolome Rey y Alarcon, siendo testigos Francisco de Rribera Vgarte, notario del Santo Oficio y Pedro Sanchez Quisada, escribano real, y Geronimo de Perea, y otras muchas personas que se hallaron presentes a el dicho remate Don Bartolome Rey y A-/127/larcon, Francisco Rato Ante mi Miguel de Almonaçir

#### Carta de pago

En la ciudad de Mexico a cinco dias de el mes de marzo de mill y seiscientos y cincuenta y cinco años, ante mi, el presente notario de sequestrados, y de el juzgado de los vienes confiscados de el Santo Oficio de la Ynquisition de esta Nueva España, el contador Don Bartolome Rey y Alarcon, receptor general de el dicho Santo Oficio, que doy ffee que conozco, otorgo que a recibido de mi señora Doña Margarita Beltran de Alçate, condesa de Peñalba, por mano de Francisco Rato, su criado, los trescientos y diez pesos de oro comun en reales por el precio y valor de el negro, Luis, de tierra Angola, que oy dia de la fecha, se le remato en almoneda publica en el dicho Francisco Rato para su señoría, con cargo de que a de aprobar el dicho remate el mu<sup>184</sup> yllustre señor ynquisidor Doctor Don Pedro de Medina Rico, visitador general de el dicho Santo Oficio Y como contento y entregado de dichos trescientos y diez pesos, le otorga carta de pago y recibo en bastante forma por hauerlos recibido en mi presencia y de los testigos, de cuyo recibo y entrego doy ffee Y lo firmo, siendo testigos Diego de Almonaçir Salaçar, alcayde de las carceles secretas de dicho Santo Oficio, y Francisco de Ribera Vgarte, y Diego Perez Ríbero,

<sup>182</sup> Between *mu* and *yllustre* is written *y*

<sup>183</sup> On this law, see p 29, n 10 of "The Trial of Sumón de León, 1647," No I, of this series of *Inquisition Papers of Mexico*

/128/ portero de dicho Santo Oficio Don Bartolome Rey y Alarcon  
Ante mi Miguel de Almonacir

**Auto** En la ciudad de Mexico a seis dias del mes de marzo de mill y seiscientos y cincuenta y cinco años, el señor ynquisidor visitador Doctor Don Pedro de Medina Rico, hauiendo visto estos autos y la venta y remate, que por ellos consta hauerse hecho en cinco deste presente mes, de Luis, negro, esclavo de tierra Angola, perteneçente al real fisco de la Ynquisition desta ciudad, por Don Bartolome Rey y Alarcon, receptor de dicha Ynquisition, ante Miguel de Almonacir, notario de sequestrados, en Francisco Rato, criado de Doña Margarita Beltran de Alçate, condesa de Peñalba, en trescientos y diez pesos de contado para la susodicha, dijo que aprouaua y aprouo la venta y remate del dicho esclavo, hecho en el dicho Francisco Rato Y atento por la carta de pago que esta al pie de dicho remate de el dicho Don Bartolome Rey y Alarcon, consta hauerse pagado el precio en que se remato dicho esclavo, se le notifique se aga cargo de dicha cantidad por quenta a la hacienda del reo a quien tocare, y se de testimonio autentico destos autos a la dicha Doña Margarita Beltran de Alçate para que le sirba de titulo y benta de dicho esclavo Y asi lo acordo, mando y firmo Doctor Don Pedro de Medina Rico Paso ante mi Don Marcos Alonso de Huydobre, secretario

Como todo consta y parece de dichos autos que quedan en la secretaria de la visita entre los papeles entregados por el señor inquisidor, juez de bienes, y notario de sequestrados, a que me refiero Fecho en Mexico a nuebe de marzo de mill y seiscientos y cincuenta y cinco años

Marcos Alonso de Huydobre, secretario [rúbrica] /129/

**Muy Ilustre Señor**

Aunque no es este de los cassos en que, dando el esclavo, el dueño queda libre del daño causado por el esclavo, respecto de ser alimentos en conseruacion de la vida del esclavo que debe pagar el dueño, con todo, por hauer special respecto en el caso pressente que puede motuar en terminos de justicia admitir la donacion del esclavo Luis, contenido en estos autos, aunque su valor no alcance al gasto causado con el, soy de parecer que se puede admitir, siendo Vuestra Señoria servido Mexico y henero 30 de 1660 años

El Licenciado Andres de Cabalça [rúbrica] /130/  
1655<sup>14</sup> años

Testimonio del remate y apruacion del negro, Luis, que compro del Santo Oficio /

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<sup>14</sup> Everything indicated for MS, p 130, appears written lengthwise in the lower right corner This is a covering title for MS, pp 121-28.

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## NEW SOURCES FOR POPE'S ECLOGUES?

Leslie M. Oliver  
*Assistant Professor of English*

When sixteen-year-old Alexander Pope wrote and submitted to the critical attention of his elders his four pastorals named for the seasons, he himself confessed that "if they have any merit, it is to be attributed to some good old Authors, whose works as I had leisure to study, so I hope I have not wanted care to imitate"<sup>1</sup> His mentor Mr. Walsh said that "he has taken very freely from the ancients"<sup>2</sup> That Pope laid Theocritus, Virgil, and Spenser under tribute, his lines themselves are sufficient evidence There is, then, no particular point in discriminating nicely between Theocritan and Virgilian lines, or in calculating the exact extent of Spenser's influence

But the possibility of an influence of a different kind is perhaps a matter of more importance In the early drafts of the "Summer" eclogue, lines 73-76 somewhat tamely imitate Dryden's translation of Virgil.

While you your presence to the groves deny,  
Our flowers are faded and the brooks are dry  
Though withering herbs lay dying on the plain,  
At your return they shall be green again<sup>3</sup>

As the poem was finally printed, however, these lines have been discarded, and in their place stand others so far superior that they raise the tone of the whole poem They were singled out, indeed, during the poet's lifetime and set to music by Handel, in his *Semele*

Where'er you walk, cool gales shall fan the glade,  
Trees, where you sit, shall crowd into a shade,  
Where'er you tread, the blushing flowers shall rise,  
And all things flourish where you turn your eyes

The crowding trees of the first couplet, the most vigorous and romantic image in the poem, do not come from any of the obvious sources Pope used, nor have later scholars announced their origin It may be noted

<sup>1</sup> *The Works of Alexander Pope*, ed Elwin and Courthope (London, 1871), I, 264

<sup>2</sup> *Ibid*, I, 233

<sup>3</sup> *Ibid*, I, 283n

that Cowley's poem "The Spring", which Pope must have known,<sup>4</sup> contains some interesting parallels to our lines. The third stanza begins with the words "Where'er you walk'd", the fourth recalls the legend that Orpheus caused the trees to dance by his music, and suggests, in closing,

How would those learned trees have followed you?  
You would have drawn them, and their poet too<sup>5</sup>

There is still an imaginative gap between Cowley's "learned trees" and Pope's trees crowding into a shade. I do not imply that Pope was incapable of bridging that gap independently, but merely that, in the kind of verse Pope was writing, originality of thought or imagery was neither desired nor to be expected. I suggest, then, that Pope may have found the idea he used in a passage of the Elizabethan play *Mucedorus*.

I'll rend the burly branches from the oak  
To shadow thee from burning sun  
The trees shall spread themselves where thou dost go,  
And as they spread, I'll trace along with thee<sup>6</sup>

*Mucedorus* seems at first thought an improbable source for the classicist Pope, but there are circumstances that increase the probability. The old play, now fallen into obscurity, was very popular during the first century of its existence; it was presented, if we can believe its Prologue and Epilogue, before both Elizabeth and James.<sup>7</sup> It passed through seventeen editions before Pope was born—a greater number of early editions than was achieved by any other pre-Restoration drama. Copies must therefore have been common in Pope's youth. The play has been attributed to Shakespeare, to Greene, to Lodge, and to Peele. Its writer, if not one of the university wits, must have been at least well schooled in the classical tradition.<sup>8</sup>

The passage of the play in which our lines occur is an embedded pastoral, a love-complaint of the same sort as Pope's eclogue, extending from line 24 to line 55 of the third scene of Act IV. It is broken into stanzas by one-line responses of the hard-hearted fair one, but other-

<sup>4</sup>Cf. his "To Augustus", lines 75-78.

<sup>5</sup>Abraham Cowley, *Poems*, ed. A. R. Waller (Cambridge, 1905), p. 71.

<sup>6</sup>The *Shakespeare Apocrypha*, ed. C. F. Tucker Brooke (Oxford, 1908), pp. 119 f., IV, 3, 27-30.

<sup>7</sup>Ibid., pp. 105, 126.

<sup>8</sup>Ibid., p. xxiv.

wise it conforms to the classic model. It is an Elizabethan interpretation of the Theocritan manner, and compares most closely, perhaps, to Theocritus' eleventh idyll.<sup>8</sup> But neither this nor the parallel eclogues of Virgil<sup>9</sup> contain any mention of trees displacing themselves. Perhaps the idea was suggested to the unknown playwright by the legend of Orpheus, though the Elizabethans were capable of originating conceits even more vigorous than this.

Ordinarily, in dealing with a possible influence of this sort, one looks for similarities of wording or phrasing, and especially of peculiarities that would not easily have been found elsewhere. But the principal contribution that Pope made to his material, we must remember in this case, was polish and refinement of diction and style. He might have borrowed a phrase or even half a line from the verse of Cowley, but if he was adapting the "wood-notes wild" of an Elizabethan, words and phrases are exactly what he would have changed, and especially he would have ironed out anything he felt to be a peculiarity. The Elizabethan spoke in terms of the specific and the concrete, the classicist generalized. Bremo, the wild man in *Mucedorus*, speaks of violets, cowslips, and marigolds, Pope talks of blushing flowers. We must look behind the word, then, to the idea it represents. We must discount, also, what we may call the common small change of this sort of poetry, the references to satyrs and nymphs, crystal streams or fountains, and shady groves. Nevertheless, one cannot help wondering whether

Where'er you tread, the blushing flowers shall rise,  
And all things flourish where you turn your eyes,

may not have found its inspiration in

When thou art up, the woodlanes shall be strawed  
With violets, cowslips, and sweet marigolds  
For thee to trample and to trace upon.<sup>11</sup>

Perhaps the presence of *birds* and *kisses* in the following lines should not be looked upon as evidence

<sup>8</sup> *The Greek Bucolic Poets*, ed J. M. Edmonds (London Wm Heinemann, 1923), pp. 140-147.

<sup>9</sup> Virgil, *Eclogues*, ed H. R. Fairclough (London Wm Heinemann, 1916), ec. II, pp. 10-15.

<sup>11</sup> *Mucedorus*, IV, 3, 50-52.

The lark shall sing good morn to my queen,  
And whilst he sings, I'll kiss my Amadine.<sup>14</sup>

Oh! were I made by some transforming power  
The captive bird that sings within thy bower!  
Then might my voice thy listening ears employ,  
And I those kisses he receives, enjoy.<sup>15</sup>

These lines may have been formed, as Wakefield suggested,<sup>16</sup> on a passage in Dryden's *Theocritus*, but *Theocritus* has neither birds nor kisses at that point;<sup>17</sup> the idea must have originated elsewhere.

All in all, then, it is clear that we have here two imitative poets, Pope and the author of *Mucedorus*, both drawing upon *Theocritus* and to a lesser extent upon Virgil and Spenser. But though Cowley's influence seems also to be present, it is possible that the young Pope knew and, in his best quatrain at least, was influenced by the Elizabethan dramatist

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<sup>14</sup> *Ibid.*, lines 47-48.

<sup>15</sup> Pope, lines 45-48

<sup>16</sup> Pope, *Works*, I, 280a.

<sup>17</sup> Edmonds, p. 42, lines 12-14, Dryden, "Amaryllis", lines 28-29.

Volume XV

Number 2

June, 1947

**RESEARCH STUDIES  
OF THE  
STATE COLLEGE OF WASHINGTON**



THIS ISSUE IS DEVOTED TO THE  
PROCEEDINGS OF THE PACIFIC SOCIOLOGICAL SOCIETY  
1947

Editor for the Pacific Sociological Society Carl E. Dent

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Pullman, Washington

The speculations and ideological systems of these earlier scholars represent a stage in the history of sociology. These men made a heroic effort to bridge the gap between social philosophy and social science by attempting to systematize and synthesize existing sociological knowledge.

Social theory of this type can be subsumed under two general categories. The first consists of generalizations concerning social change, such as evolutionism, historical cycles, and dialectic process, being illustrated by the writings of Spencer, Marx, and Morgan. The second comprises generalizations relating to specific factors determining social phenomena frequently expressed in the form of some single, particularistic explanatory principle, the works of Tarde, Ratzenhofer, Giddings, and Gumplowicz being representative. The vast amount of material of these earlier scholars is of little value or consequence as far as modern sociology is concerned. For the most part it represents barren, useless, unproved, and unprovable speculations. It is not science, nor does it have much value in scientific theory. Most of this type of theory must be discarded before genuine scientific theory can emerge. The sooner this fact is accepted, the better it will be for sociology.

To some the point of view expressed may seem iconoclastic and unwarranted. No doubt, there are strong academic and psychological vested interests in this brand of social theory. More and more, sociologists will be intercated in traditional social theory as a source of hypotheses for scientific test rather than as authority, as articles of faith, or as scientific conclusions. "The formulations of Marx, Spencer, Weber, Pareto, and others too frequently have been accepted as gospel by sociologists, who have accordingly supposed it to be their primary function to expound these texts."<sup>3</sup>

As far as the sociology curriculum is concerned, material of this kind should be relegated largely to specialized courses in the "History of Social Thought" or "History of Sociology." Candidates for the Master's and Doctor's degrees in sociology should be required to take one or two courses of this kind, because it is essential for scientists to be conversant with the history of their respective fields. Such knowledge should help to orient the student in his field and perhaps provide a broad and critical outlook on contemporary problems. As for the future "protracted expounding of obsolete texts with much memorizing of who said what, when, and why, will further decline. Scholasticism, sometimes grandly called 'scholarship' and 'erudition,' will decline in sociology."<sup>4</sup> Instead of writing expository disser-

<sup>3</sup> George A. Lundberg, "The Proximate Future of American Sociology. The Growth of Scientific Method," *American Journal of Sociology* I (1945), 502-13.

<sup>4</sup> *Ibid.*

tations on the sociology of one of the "masters," graduate students will concern themselves more and more with significant scientific problems.

There are still those in the social sciences who believe that scientific generalizations grow out of the ratiocinations and artistic inspirations of some lonely thinker brooding in solitude. According to this point of view, empirical research or scientific analysis of any kind is superfluous.<sup>5</sup> Scientific theories emerge from facts and must be amenable to empirical testing. Theories about heaven or immortality are entirely proper in their place—but they do not belong in science. I have cited the writings of pioneer sociologists because they exemplify the brand of sociological theory which I am criticizing as of little value for scientific purposes. If nineteenth century grandiose, *a priori* ideologies and "monistic fallacies" are "bad" sociological theory, it is just as true that the windy, slippery, ponderous speculations of contemporaries are no better. Generalizations or hypotheses that are not susceptible to empirical testing have no place in a body of scientific theory.

Other connotations of "sociological theory" include (a) methodological problems, (b) analyses of sociological concepts, (c) general sociological orientations, (d) empirical generalizations in sociology, and (e) systematic "scientific" theory.<sup>6</sup> Actually, of course, these different conceptions of sociological theory are not sharply delimited from one another but overlap to a greater or less degree.

Sociological theory is closely associated with methodology, but the two are not identical. First, many phases of methodology are not peculiarly sociological, but rather cut across all sciences, and, second, methodological questions that are distinctly sociological represent merely one aspect of sociological theory.

A few decades ago it was pointed out that "nearly every sociological thesis proposes a new method, which, however, its author is very careful not to apply, so that sociology is the science with the greatest number of methods and the least results."<sup>7</sup> The sociologist is still methodology conscious, but sociology has made unprecedented progress as a science since Poincaré wrote his essay. Perhaps the sociologist's extraordinary concern

<sup>5</sup> Harold G. Moulton, "Co-operation in Social Science Research," in Leonard D. White (ed.), *The New Social Science* (Chicago: University of Chicago Press, 1930), 55-63.

<sup>6</sup> Robert K. Merton, "Sociological Theory," *American Journal of Sociology*, L (1945), 462-73.

<sup>7</sup> Henri Poincaré, *Science and Method* (New York: Thomas Nelson and Sons, 1914), pp. 19-20.

about methodology is indicative of his inferior status in the scientific hierarchy.

Be this as it may, there are many fundamental methodological problems which are of the utmost importance in sociological theory. Differences in methodological points of view have become the basis for the development of "schools" of sociology. In a few instances, the differences are seemingly irreconcilable since they are based on contradictory, ethical, epistemological, and metaphysical doctrines. Many theoretical conflicts have turned out to be irrelevant or absurd, and others, no doubt, will be resolved in the normal course of events by empirical testing and the accumulation of more reliable knowledge.

Perhaps the most fundamental methodological problem confronting the sociologist at the present time devolves around the acceptance or rejection of (1) the basic postulates and principles of modern science and (2) the implementation of these postulates and principles through the development of explicit, exact, and repeatable research techniques and operations. I realize that there are fads and fashions in sociology as there are in other fields, but present trends point directly toward the development of more rigorous, precise, and empirical methodology.

Methodological trends and emphases of almost every kind naturally influence the development and characteristics of sociological theory because of their close reciprocal relationship.

Sometimes sociological theory is inappropriately applied to the definition and classification of concepts as well as to conceptual analysis. Clearly defined and precise concepts are essential to sound sociological theory, but the two are not identical. Theoretical problems also are involved in the type of definition of concepts such as linguistic, heuristic, or operational. Moreover, conceptual analysis may play a major role in empirical research, thus helping to provide a sound basis for sociological theory. Since sociological theory and conceptual clarification and analysis are so intimately related, it seems appropriate to present a few remarks concerning the problem of sociological concepts.

Because of the inadequacies of the ordinary vernacular, every science has been required to develop a technical vocabulary. The sociologist has constructed an elaborate vocabulary of words taken from every-day speech, the physical and biological sciences, or invented from classic roots and other sources. A large proportion of sociological concepts are ambiguous, obscure, and useless as refined tools of analysis. Sociologists are aware of these deficiencies and have made serious efforts to overcome them.

Three years ago a *Dictionary of Sociology* was published which allegedly had two major purposes "first, to consolidate and standardize the existing uniformities of linguistic usage, and second, to establish new uniformities and precisions by selecting for authoritative support one or more of various meanings currently assigned to a given word or phrase"<sup>8</sup> Similarly, the "Committee on Conceptual Integration" of the American Sociological Society functioned for several years with much the same objectives in mind. Efforts of this kind have some value for purposes of clarification and standardization, but genuine and far reaching improvements in terminology must depend on fundamental sociological research<sup>9</sup> Arbitrary, lexicographical definitions may meet all the essential requirements of literature, philosophy, and everyday speech, but they are not adequate for a science.

Highly symbolic concepts expressed in quantitative form eventually will be developed in sociology. Stuart C. Dodd's S system represents a pioneering effort in this direction.<sup>10</sup> It is a syntactical device for making explicit the operations involved in the construction of a scientific language. It attempts to reduce the traditional and largely intuitional categories of social science to a series of operational concepts based on a minimum of positive terms, and built by rigorous deduction from the possible combination of such terms.<sup>11</sup>

Definitions of sociological concepts based on careful and extensive research will eventually supersede the loose, inconsistent, and ambiguous definitions that are so common at the present time. No doubt many of these definitions will be expressed in operational form, but the growth of operationalism in the social sciences is dependent to a large extent upon the development of more exact and refined research instruments and techniques.

Sociological theory possesses another connotation which also is intimately related to sociological research and, of course, to methodology and terminology. The main element in this connotation is "generalized conceptualization." The most rudimentary type of "generalized conceptualization" is a simple, discrete, empirical generalization. They comprise the basic raw materials out of which scientific laws and "systems" are constructed. Laws and systems are conceptualized abstractions of a higher order. A scientific

<sup>8</sup> Henry Pratt Fairchild (ed.), *Dictionary of Sociology* Philosophical Library (New York, 1944), p. vi.

<sup>9</sup> Robert Bierstedt, "Operationalism and Sociology" (unpublished MSS, 1946).

<sup>10</sup> Dimensions of Society (New York: Macmillan, 1942).

<sup>11</sup> Clarence Schrag, "A Comment on the Use of Dimensional Sociology" (unpublished MSS, 1946).

law is "(1) a generalized statement of some behavior sequence, (2) a statement of the conditions under which the generalization is verifiably true, and (3) a statement of the degree to which it is verifiably true under these conditions"<sup>12</sup> There are many simple empirical generalizations in sociology but no scientific laws as adjudged by the above criteria.

"A theoretical system is a body of logically interdependent generalized concepts of empirical reference"<sup>13</sup> In other words, it is a structure of interrelated laws, propositions, and generalizations. Scientific theory provides a frame of reference, thus imparting meaning to facts and providing guidance in research. Sound sociological theory cannot be developed without a factual foundation based on careful analysis and research. By the same token, a science of sociology cannot be achieved without sound theory. Furthermore, I would agree that "the most important single index of the state of maturity of a science is the state of its systematic theory. This includes the character of the generalized conceptual scheme in use in the field, the kinds and degrees of logical integration of the different elements which make it up, and the ways in which it is actually being used in empirical research."<sup>14</sup>

As was emphasized in the early part of this paper, there has been a tendency to formulate sociological theory—"laws" and "systems"—largely on an a priori basis. Thoroughgoing research, adequate empirical data, rigorous methodology, and other essentials of the scientific method have been given only the most cursory consideration or have been entirely bypassed. The construction of scientific theory is a long, arduous process. Pearson pointed out many years ago that there is no short cut to scientific "truth."

A field in which I have some acquaintance—human ecology—affords an excellent illustration of an attempt to build a body of theory mainly on the basis of speculation and analogy. As a word of caution, it must not be inferred that human ecology is unique or in any way atypical in this respect. In fact, it would be no exaggeration to say that the entire field of sociology is in much the same situation as far as its theoretical structure is concerned.

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<sup>12</sup> George A. Lundberg, "The Concept of Law in the Social Sciences," *Philosophy of Science* V (1938), 189-203.

<sup>13</sup> Talcott Parsons, "The Present Position and Prospects of Systematic Theory in Sociology," in *Twentieth Century Sociology* by Georges Gurvitch and Wilbert E. Moore, The Philosophical Library (New York, 1945), p. 43.

<sup>14</sup> *Ibid.*

In 1938 a devastating critique of ecological theory was published<sup>15</sup>. Although the author might seem captious at times, I believe the monograph is of a high quality and no doubt has had a salutary effect on the field. Such deficiencies, inadequacies, and limitations of ecological theory as the following are discussed in this study: (1) perplexing, chameleonic, confused, and vague concepts, (2) inclusion of disparate and incongruous phenomena in a single universe of discourse, (3) certain principles and hypotheses which have not been or cannot be empirically tested, (4) sweeping and inappropriate application of concepts and principles from biological sciences, and (5) the one-sided and monistic point of view of ecological theory.

With all due respect to R. D. McKenzie, Robert E. Park, and other pioneers in the field, they could not in the very nature of scientific development have constructed a theoretical system that would serve as an all embracing and permanent foundation and guide for research in the field of human ecology. They did establish a new sociological orientation, a broad framework for empirical analysis. They set down many fruitful hypotheses and provocative leads, but their basic postulates and principles, conceived largely on an *a priori* and analogical basis without sufficient empirical data and research, could not hope to survive as a sound, integrated theoretical system.

To many it is paradoxical that research in the field of human ecology - which I might add, includes some of the most notable studies in the entire field of sociology - seems to bear little if any relationship to the basic presuppositions of ecological theory. The lack of integration between theory and research would seem to represent further evidence of the inherent weaknesses and contradictions of the theory of human ecology which no amount of empirical research can rectify. Sound theory must be consistent with and be supported by research.

At this stage, I am not greatly disturbed over the lack of a sound and elaborate system of ecological theory. Scientific development is a slow process, going forward by small increments. The testing and retesting of relatively simple hypotheses, their modification and further testing and elaboration, and the correlation and synthesis of verified principles are a few of the indispensable steps in the development of a reliable theoretical system.

In recent years, several feeble attempts have been made to strengthen

<sup>15</sup> Milla Aissa Alihan, *Social Ecology. A Critical Analysis* (New York: Columbia University Press, 1938).

the weaknesses and resolve the contradictions of ecological theory by discursive, acerbic, speculative discussion. Unfortunately, sociologists seem to believe, or at least hope, that important scientific questions can somehow be solved by discussions of this kind. At best, such discussions can only clarify or sharpen issues; at worst, they give one an utterly false sense of achievement.

Sometimes discussions of theoretical problems turn into heated controversies and academic feuds. The dialectic tradition, a heritage of social philosophy, is still strong among sociologists. Moreover, a prestige value is attached to the ability to argue brilliantly and to use big words with facility. But scientific questions cannot be settled by debate.

The extraordinary dependence of the sociologists on mere words to solve scientific problems has been a retarding force. We, at the University of Washington, are proud of the fact that our students excel in verbal facility on the Graduate Record Examination, and we are prone to infer that this rating is indicative of a high I.Q., because studies have shown a correlation in verbal facility and performance on intelligence tests. On the other hand, verbal adeptness is no assurance of a scientific point of view, nor of special ability in scientific work. In this connection, E. B. Wilson has pointed out:

I wish we could supplant this facility [verbal facility] by science—probably it is the very facility which is the greatest obstacle in the way of our becoming scientific about society, for it sells itself for big money to foundations and for big positions to college presidents.<sup>16</sup>

Harry Alpert has said:

Our essentially extravert culture has placed a high premium on the ability to produce a steady and mellifluous stream of sounds, but has not offered an equally high reward for making these sounds meaningful. The capacity to talk nonsense seems to be particularly prevalent in intellectual circles. One might almost characterize it as an occupational disease of the intelligentsia.<sup>17</sup>

The foregoing remarks must not be construed as a criticism of the sociologists' recent interest in semantics. A knowledge of semantics should be an essential part of the equipment of every social scientist. In fact, a better understanding of the role of language symbols in the scientific study of "experience" and "reality" already has done much to clarify important methodological, conceptual, and theoretical problems in sociology. Nonsense couched in vague, high-sounding, esoteric phraseology all too frequently

<sup>16</sup> From a letter to Dr. George A. Lundberg.

<sup>17</sup> "Operational Definitions in Sociology," *American Sociological Review*, III (1938), 855-61.

has passed as profound sociological theory. Perhaps one of the most efficacious forms of insurance against nonsense of this kind is an understanding of the fundamentals of semantics.

In summary, an attempt has been made in this brief paper to present a critical but constructive discussion of the significance and relationship of sociological theory and sociological research. The confusing and elusive connotations of the terms "social theory" and "sociological theory" have been responsible for many obscurities and controversies. Traditionally, social theory or sociological theory has been identified with the conjectures and nebulous generalizations and ideologies of social philosophers and pioneer sociologists. These terms also have been variously applied to problems of (a) methodology, (b) concepts and conceptual analysis, (c) general sociological orientations, (d) empirical generalizations, and (e) systematic "scientific" theory.

It was pointed out that speculations of early sociologists as well as those of contemporaries are of little scientific value. So-called theory of this kind is too far removed from empirical referents. Scientific theory can not be constructed by arm-chair philosophizing. Neither can it emerge from the superficial scanning of work done by fact-finders or by means of pencil and paper in a library. There must be a close reciprocal relationship between scientific theory and empirical research.

Special consideration was given to the field of human ecology as illustrative of (1) the basis of much contemporary sociological theory, (2) the limitations of such "theory," and (3) suggestions for the improvement of sociological theory. The futility of relying on diffusive discussions and verbalisms to solve important theoretical questions was also emphasized.

# **WARTIME PRIVATE RESIDENTIAL CONSTRUCTION AND RESIDENTIAL LAND-USE TRENDS IN THE SEATTLE METROPOLITAN AREA**

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## **I INTRODUCTION**

The migration of an estimated four million civilian families to industrial centers during the war created unusual problems in housing, as it did in relation to many other aspects of local and national life. The unprecedented migration catapulted upward the need for dwellings. Increased employment and increased family income transformed these needs into effective market demand. At the same time, the steady construction of vital mills, factories, and military establishments and the required high level of production of military goods made necessary the conservation of materials and labor and, therefore, the restriction of residential construction to the minimum needed to accommodate essential in-migrants.

During the defense and war period, accordingly, there were very special conditions affecting the production of new homes. Most conspicuous among these conditions, and most important in their consequences, were the housing policies of the national government. First, the volume of housing that could be constructed in a community during any interval of time was limited to a quota based upon the estimated number of in-migrant war worker families in excess of those which could be accommodated in existing housing. Second, regulations specified the maximum floor area, the maximum amount of materials that could be used, and the maximum prices at which the houses could be marketed. Third, the federal government itself directly financed the construction of over 684,000 family dwelling units throughout the country. Finally, in order to assist the private residential construction industry, the National Housing Act of 1934 - under which the federal government had assumed a degree of risk to lenders against loss in mortgage foreclosures—was amended by the addition of Title VI. Under this title, the government, through the Federal Housing Administration, assumed the added risk involved in loans for the purchase of homes built in accordance with lower war-time technical standards, located in communities whose post war housing market appeared uncertain, and sold to a clientele whose prospective economic instability would deprive them of consideration by normal mortgage lending criteria.

Special conditions under which housing was constructed during the war, including the increased participation and intervention by the federal government, vitally affected the home building industry in its fiscal methods,

in its managerial organization, in its technology, and in the characteristics of its product. The mode and scale of residential building operations, in turn, affected the structure of residential areas and cities.

This paper analyzes the effects of war time residential construction conditions, particularly the effects of the enlarged scale and changed character of operations in the residential construction industry, upon land-use practices in the Seattle Metropolitan District. The study is based upon an analysis of all the priority authorizations issued by the Seattle Office of the Federal Housing Administration for the private construction of family-dwelling units during the period from September 1941 to October 1945. The data cover all legal residential construction during the fifty-month period when federal controls were in effect, except for a relatively small number of authorizations treated as "hardship cases" and handled by separate administrative procedures.

## II DEVELOPMENT OF OPERATIVE BUILDING IN SEATTLE

During the period from September 1941, when the priority system was initiated, until October 1945, when the order limiting home construction (L-41) was rescinded, a total of 10,882 privately financed, non-farm dwellings were constructed in the Seattle Metropolitan District. Table I is an analysis of these units by size of the builder organizations which produced them.

TABLE I

PRIVATELY FINANCED WAR HOUSING (H 1) IN THE SEATTLE METROPOLITAN DISTRICT, BY NUMBER OF UNITS BUILT BY BUILDERS  
SEPTEMBER 1941 OCTOBER 1945

Number of Units Built by Builders	Number of Builders	Percentage of Builders		Number of Builders	Percentage of Builders	Cumulative Percentage of Units		Cumulative Percentage of Units
		Number of Builders	Percentage of Builders			Number of Units	Percentage of Units	
1	664	58 8	100 0	664	6 1	6 1	100 0	
2-24	385	34 1	41 2	2,309	21 3	21 3	93 9	
24-49	36	3 2	7 1	1,198	11 0	11 0	72 6	
50-99	22	1 9	3 9	1,565	14 4	14 4	61 6	
100-199	11	1 0	2 0	1,746	16 0	16 0	47 2	
200 and over	11	1 0	1 0	3,400	31 2	31 2	31 2	
TOTAL	1,129	100 0		10,882		100 0		

It is striking that a mere 6 1 per cent of the wartime units were built by persons who constructed only one unit during the war period, and only 21 3 per cent were constructed by builders of between 2 and 24 units. This is in contrast to the pre-war building supply of Seattle and of other cities.

generally, which had been built up predominantly by builders with an annual production of ten units or less<sup>1</sup>

During the war period, eighty builders, each of whom constructed twenty-five and more units, together built almost three-fourths of all the houses, forty-four builders, each of whom constructed fifty and more units, together erected over 60 per cent of all the houses, twenty-two builders, each of whom constructed a hundred or more units, together provided almost one-half of the houses, and the eleven largest organizations, each of whom constructed two hundred or more units, together accounted for over 30 per cent of the houses built during the war

Housing construction is one of the few major American industries which was not already characterized long before the war by a high degree of concentration and mass production. The trend toward large-scale operations, such as is shown in Table 1 to have occurred in Seattle during the war and which was paralleled in other major centers of intense war production and of rapid population growth, constituted a major phase in the evolution of home-building technology.

All twenty-two builders who constructed a hundred or more units each, and the majority of the additional twenty two who constructed from fifty to ninety-nine units each, utilized operative building methods. Operative building involves the assembly of a large number of residential lots to be used as building sites in a planned and coordinated building program. The lots may constitute one large development, or they may be scattered through a neighborhood. If they are scattered, they must all be within close operating range of the point at which construction management and central operations are established. The building sites may be in areas which are already sufficiently settled to have schools, churches, shopping facilities, regularly scheduled transportation, and other public and commercial facilities and services, or they may be located in isolated or sparsely populated areas which are totally without existing community facilities and services.

Operative builders carry on, as a single operation, all necessary land improvements, including land clearing, rough grading of lots and streets, and excavations for basements and utilities. Necessary sub surface and other utilities for all scheduled units are installed at one time. The construction of forms for foundations and basement walls and the pouring of concrete for all units are done in a progressive, systematic manner. Of major significance is the fact that a central working area is established where

<sup>1</sup>Cf *Builders of 1 Family Houses in 72 Cities*, Serial No 1151, Bureau of Labor Statistics, 1940

power-saws are installed for the cutting of framing members. In the central working area, jigs may be set up also to be used in the assembly of wall sections and of other frame-sections for all the units. In this manner, an appreciable degree of prefabrication of the houses on the site is achieved. The operative builder sometimes has a permanent shop in which some of the sub-assemblies are prefabricated. In this type of construction, the sub-contracts for plumbing, wiring, sheet-metal work, painting, cabinet work, landscaping, and similar operations are let as single contracts for all the houses to insure the use of mass-production techniques throughout the operations. The large operative builders often serve as their own subcontractors for many operations ordinarily contracted out, such as plastering and painting.

It is noteworthy in relation to this trend toward large-scale industrialized house-production that during the war, for the first time in Seattle, three large general construction companies undertook the building of detached homes. All three companies constructed private housing projects, utilizing the more advanced types of operation characteristic of the non-residential construction field.

Operative building defined by the above characteristic construction methods is relatively new. During preceding building boom periods, it was common for speculative builders to construct many units at one time, but the procedure involved mainly the repetition on a large scale of methods used in building homes one at a time. Operative building procedures were instituted in many areas throughout the country, particularly in California, during the latter part of the 1930's, but the war gave them generally a tremendous impulse toward further development.

### III SITE SELECTION POLICIES OF THE DIFFERENT TYPES OF BUILDERS

Table II shows the war-housing dwelling units constructed inside and outside the city according to the scale of builder operations. Significant differences are found in the location of land selected by different categories of builders. Those who built only one unit constructed a larger proportion outside the city than any other group. Over 58 per cent of such builders used sites outside the incorporated limits of Seattle. This first group includes mainly, of course, persons who built their own homes or who engaged the services either of a regular custom builder or of a casual homebuilder. Census data, as well as casual observation, abundantly support the conclusion that home construction outside the city is done in good measure by persons of lower-income status who solve their housing problems by utilizing cheap and remote lots. They build dwelling structures below standards permitted

by city building, fire, and sanitary codes, and they forego costs and the benefits of the utilities and services provided inside the city

The builders of only one unit have a predilection for construction outside the city and, conversely, those who wish to get away from the built-up areas must usually initiate their own construction, rather than rely on builders. At any rate, the wide diffusion of urban residences over the metropolitan district is associated with small scale custom building. Furthermore, it is for the prospective sale of lots to the owner occupant or builder of one unit at a time that very extensive areas of outlying land are subdivided and their ownership diffused long in advance of actual use. The

TABLE II

**PRIVATE WAR HOUSING DWELLING UNITS BUILT INSIDE SEATTLE CITY AND  
OUTSIDE SEATTLE CITY BUT IN METROPOLITAN DISTRICT  
SEPTEMBER 1941 OCTOBER 1944**

Number of Units Built by Builders	Number and Percentage of Units in Metropolitan District					
	Inside Seattle City	Outside Seattle City	No	%	No	%
1	278	41.9	386	58.1	644	100.0
2-9	652	56.8	495	43.2	1,147	100.0
10-14	139	62.7	202	37.3	541	100.0
15-24	473	76.2	148	23.8	621	100.0
25-49	798	66.6	400	33.4	1,198	100.0
50-99	1,230	78.6	335	21.4	1,565	100.0
100 and over	2,226	43.3	2,920	56.7	5,146	100.0
TOTAL	5,996	55.1	4,886	44.9	10,882	100.0

386 houses built outside the city by builders of only one unit were located in eighty five different precincts, and in only four precincts were more than ten such units built. By contrast, builders who constructed more than 100 units during the war interval built over 75 times as many units outside Seattle in only a fifth as many precincts. City and Regional planners are generally and strongly inclined to lament premature subdivision of virgin land and of farm acreage. They are also disposed to criticize spotty development. The subdivision of land at a distance from established areas and outside paths of city growth is, to a large extent, either by or on behalf of individual builders of homes.

Table II shows, in general, a high positive association between scale of building operations and the proportion of units built inside the city. It appears on the basis of these facts that, up to a certain point, as builders increased the scale of their operations, they increased in dependence upon the city. More specifically, as builders constructed larger numbers of units, they depended increasingly upon city utilities and services and upon the

city market When the number of units constructed was very large, however, it was possible apparently to launch out into previously undeveloped areas

The larger operative builders in Seattle during the war fell into three principal categories in respect to land development practices One group of builders purchased large tracts of totally undeveloped and unimproved land inside the city Some of these were areas which had been bypassed in the previous growth of the city because of particularly rugged topography, because of having been held earlier for speculative prices, or because of other reasons A large portion of such land had become tax delinquent and was available at the beginning of the war in large tracts at moderate prices Tracts consisting of over six hundred such lots were procured by large builders in the Magnolia area An even larger amount of such land was procured and developed in the West Seattle area These tracts were, for the most part, in areas which already had been built up and in which neighborhood commercial and community facilities already had been provided The street layouts in the new building tracts were made to conform with the existing neighborhood pattern The homes built in these areas are unique only with respect to their striking similarity to each other in age, smallness, and architectural design

A second category of large operative builders availed themselves of scattered lots in old neighborhoods Most of these lots, also, were purchased at moderate prices from the King County Land Department One builder, for example, purchased over a hundred lots in the Ballard district, which is an area of very early settlement and where the median age of existing homes enumerated in 1940 was over thirty years These lots were sufficiently close to each other to permit operative methods of construction Almost three hundred operative built homes were constructed in census tracts which are between two and three miles east of the central business district and in which half of the houses enumerated in 1940 had been built before 1905 A major problem in relation to these houses is the very rapid depreciation almost certain to occur because of the declining character of the neighborhoods in which they are located

The third category of large operative builders constructed housing projects By a housing project in this context is meant a group of houses built as one construction operation, as part of a single development design, and constituting a neighborhood unit differentiated from the surrounding settlement or area The implications of the private housing project for community organization are considerable For purposes of this analysis, it is to

be noted that projects were constructed predominantly at some distance beyond the city limits

A number of the private housing projects were emphatically speculative enterprises, built under non-competitive conditions and sometimes promoted by organizations not primarily interested in housing. The remote location of the projects is explained by the relatively low prices at which large tracts of raw land could be bought. A minimum of consideration was given at the time to the neighborhood services which families commonly require in combination with shelter.

#### IV CONCLUSIONS

During the war period, operative building emerged as a dominant mode of residential construction in the Seattle Metropolitan District. In most types of operative building, land subdivision or land improvement was synchronized with actual construction. For this reason each subdivided and improved lot was utilized, the result being more compactness of settlement. By taking advantage of the centralized holding of tax-title land by the county, operative builders further built up some of the older areas of the city. Builders were inclined, on the whole, to move to the fringe of the central city and tended to limit themselves to areas which were already served, or which they could serve, with basic utilities. Exceptions in this regard were the very large builders of projects, some of whom chose remote sites in completely undeveloped areas. Operative builders tended to create solidly built and homogeneous residential neighborhoods, whereas the previously dominant small scale builders were inclined toward random dispersion of residences, particularly in the fringe areas. The continuation of operative building after the war promises to be an important factor in city expansion and in the determination of the character of residential neighborhoods.

## ATTITUDES TOWARD EUTHANASIA

THOMAS D. ELIOT

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In recent years, following in the steps of cremation, birth control, abortion, and sterilization, there have arisen organized groups advocating legalization of euthanasia, such as those in the campaigns in New York (1912), England (1936), and currently in New York again by the Euthanasia Society of America.

Current events have tended to bring to the surface the latent but potent interest in the subject. The annual cancer campaign, intensified this year, coincided accidentally with the writer's own little study. Wide publicity has appeared on the hopeful researches for the control of cancer. Last month also brought forth the popular publication of *amidone*, a new and cheap synthetic substance alleged to kill pain without addiction and without impairing mental faculties.<sup>1</sup>

Recent factors making for overt advocacy or acceptance of euthanasia include the experiences of modern battle and of modern battle surgery, the development of new means for prolonging life in critical and incurable cases, and the relaxation of theological and moral sanctions in many publics. But one ventures to predict that, with the on-rush of atomic bombing and virus-bombing, and their sequelae of incurable horrors, the subject of euthanasia will soon be in the public eye and ear as never before.

If this guess be correct, the substratum of current attitudes on the subject in various publics will be an important factor in the effects of such discussion.

The American Institute of Public Opinion reports two polls (November 13, 1936, and January 20, 1939) on the question, "Do you favor mercy deaths under government supervision for hopeless invalids?" for which the results in both cases were 46% yes, 54% no. In the first poll 16% of the sample had no opinion, in the second, only 10%. The British Institute of Public Opinion reports remarkably different results from the American in response to similar questions issued a few months after the A I P O polls. January 14, 1937—"Do you consider that doctors should be given power to end the life of a person incurably ill?" Yes, 69%, no, 31%. 2% of the sample had no opinion. April, 1939—"Should those suffering from an incurable disease be allowed the option, under proper medical safeguards, of a voluntary death?" Yes, 74%, no, 26%. 16% of the sample had no opinion. Here, however, the questions concerned doctors' rights or patients' wishes, not government supervision, and the "incurably ill" rather than the "hopeless invalid." The present writer's own questions were based on the further

<sup>1</sup> See "Morphine Substitute," Time LXIX (1947), April 28, p. 51.

assumptions of uselessness and increasing pain, and higher affirmative responses may be due to those added premises

Other polls by the A I P O were on physically defective babies and incurably feeble minded children

May 12, 1938—"In Chicago recently a family had to decide between letting its new born baby die or have an operation that would leave the baby blind for life Which course would you have chosen?" Let die, 37%, operate, 63%, 15% of the sample had no opinion

January 20, 1939—"Recently a man in New York chloroformed to death his seventeen year old son who was incurably feeble-minded Do you think the father was justified?" Yes, 39%, no, 61%, 9% of the sample had no opinion The writer's own samples also show opinions on euthanasia for idiots and defectives, but they will not be presented here

Without resources for nationwide polls, the writer expects to content himself with small publics and other groupings directly accessible by questionnaires, and with comparisons of opinions and rationalizations in greater detail than in the "single-question" polls The present small study is a trial balloon if the findings seem significant, the effort may be made to sample other publics and to compare them from group to group or from year to year

The mailing list (not the name) of a regional veterans' organization was available by consent Questionnaires were sent to 480 former servicemen, of whom 150 (or 31 3%) responded before tabulation The sample was large enough to be representative, both within and outside the metropolis, but representative of the educated veterans rather than of veterans in general<sup>2</sup>

This group shows a high rate of interest not only in the proportion of responses received but in the high quality of personal interest and discrimination shown in most of them Nearly all of the replies are personalized, conscientious, and consistently integrated These veterans are young, but many are first hand witnesses of suffering and death or recovery

A few respondents criticized the questions because they dealt with hypothetical subjective situations in which too many variable and unpredictable elements were involved The writer's interest lay, however, not in prediction of how people actually do or will behave toward incurables, but in how they may react toward arguments for or against legislative proposals such as may reappear during any new agitation To this end a number of

<sup>2</sup> Veterans actually enrolled in college were not tabulated for this study, being considered as biasing the sample too heavily Another sample, not yet tabulated, consists of replies from college classes

alternative possibilities were included in the questionnaire. Consideration of these alternatives had the effect of stimulating thoughtful and discriminating comments and conscious formulation of respondents' own opinions. Respondents wrote in a number of alternatives which could not be expressed through the framework of the questionnaire. Certain ambiguous questions should not have been issued, but the slight frustration produced by them also drew out some of the most forthright or discriminating opinions.

The inquiry elicited the wide range of varieties of inter related principles and opinions and offers a basis for a more thoroughgoing inquiry. In this respect it has served its purpose.

Of 130 responding non student veterans, only 12 were women.

Religious preferences were indicated as types of funeral service respondents would choose.

*Religious preferences of non student veterans responding from Oregon area*

Catholic	16
Protestant	60
Jewish	12
Masonic	11
Others	3
None	25
Blank	1
TOTAL	130

Of the 16 Catholics in this group, 7 were among the 38 veterans who would refuse to participate or to permit any such practice even if legalized.

If the veterans' group as a whole, in and outside the city, is taken, we find 60 of 130 (46 1%) expressing willingness to permit a physician to hasten death, and 59 (45%) unwilling, with the remainder doubtful or blank. Of those unwilling, however, 8 (6 1%) add that they would give consent only if such euthanasia were legalized. Of the 119 answering definitely, 60 is 50 4% and 59 is 49 6%, both of which figures fall between the 46 to 54 score on the two American (A I P O) polls. The doubtful score (6 1%) falls below both the A I P O doubtful scores. But the addition to the positive side of those respondents who would give consent only if legalized makes 66 4% consenting, of those definitely responding, which is a much higher percentage than that found on either A I P O poll. The difference is presumably due to the selected public sampled in the present study.

On the basis of the more passive response of those who indicate that they would not refuse to participate or permit such practice if it were legalized, the total for the entire veteran sample is 82, or 63 1% of 130. If we

omit the doubtful and blank responses (7.7% of 130) and compare the 82 with the 38 who say they would refuse to participate or permit any such practice, the percentages of the 120 definite responses are 68.3% who would not aggressively object to 31.7% who would object even if such practice were legal. The discrepancy with the A I P O returns is thus still greater for this question.

Veterans were asked the following questions among others, and the results are as shown:

If there were to be a law permitting such practices, do you think that the decision should

	Those who would not refuse if legal	Those who would refuse even if legal	Total responding
1 Be left to the patient (only)?	4	3	7
2 Be left to the physician (only)?	3	1	4
3 Require both patient and M D?	25	9	34
4 Require (only) court or expert commission's consent?	6	3	9
5 Require consent of physician, and expert commission or court	6	0	6
6 Require consent of patient, physician and court or expert commission?	35	13	48
7 Require consent of M D and kin?	1	0	1
8 Totally opposed to any such law, no replies	1	8	9
9 An alternative	1	1	2
	—	—	—
	82	38	120

These responses show a full recognition by most of the non objectors of the dangers involved and a conservative trend so far as legal policy is concerned. Each of the safeguards suggested was rejected by some as inadequate.

Of the 21 college veterans replying, only 5 would refuse to countenance euthanasia even if legalized (no Catholics, all male). Sixteen would not so refuse (one of these a Catholic man). The differences among these 16 were on who would perform it, and when and how.<sup>3</sup>

<sup>3</sup> As read before the Annual Meeting, this paper included the following material omitted here because of limitation of space (1) a comparison between veterans in Portland and outside that city in attitudes toward euthanasia, (2) individual comments from the questionnaires (especially reasons), and (3) attitudes of 55 students in two college classes not restricted to veterans (only 5 being opposed to euthanasia).

## SOCIAL CHARACTERISTICS OF TAXI-DANCERS

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This paper is a part of a larger study entitled *An Analysis of the Taxi-Dance Hall as a Social Institution with Special References to Los Angeles and Detroit*. Topics in the larger study include "Uniquenesses of the Taxi-Dance Hall World," "The Ecology of the Taxi-Dance Hall in Los Angeles and Detroit," "Social Characteristics of the Taxi-Dancer," "Factors That Attract Girls into the Profession of Taxi-Dancing," "Problems of the Taxi-Dancer," "The Patron," and "Social Control and the Taxi Dance Hall."

Paul G Cressey's definition of the taxi-dance hall, issued in 1932, is still essentially valid:

A commercial public dance hall institution attracting only male patrons which seeks to provide them an opportunity for social dancing by employing women dance partners, who are paid on a commission basis through the ticket a dance plan, and who are expected to dance with any patron who may select them for as few or as many dances as he is willing to purchase.<sup>1</sup>

The taxi-dance hall reveals in concentrated form a panorama of maladjustments and social problems typical of modern cities. It capitalizes upon, rather than ignores or avoids, various social problems which exist under conditions of current urban life.

As pianist of taxi dance orchestras for four years, the writer gained more ready acceptance into the general life of the halls than if he had been an "outside" investigator. He managed to listen to hundreds of informal conversations of taxi-dancers and as soon as possible jotted down all pertinent material which he could recall. Innumerable small groups of these women gather together before, during, and after working hours to discuss matters of general interest to themselves, especially when business is dull, and on such occasions much revealing information can be secured (but there was great variation in the time required to win the confidence of different taxi-dancers, and with some the writer succeeded in establishing only a small degree of rapport despite three or more years of association). Most of the specific data in the present paper, however, were obtained from the blanks filled out by women wishing to secure jobs as taxi dancers in Los Angeles and Detroit—547 being tabulated in each city, including about 80 comprising the active file. These were made available to the writer by the Dance Hall Detail of the Police Departments. Though the turnover among taxi-dancers is enormous (according to the estimates of the police and the managements, over 75 per cent within the first few weeks), for the present purpose these applicants seemed reasonably representative of the active personnel of taxi-dancers.

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<sup>1</sup> *The Taxi Dance Hall* (Chicago: University of Chicago Press, 1932), p. 30.

The general conclusion of this paper is that the taxi-dancers of today are characterized by great variety in their personal, social, and occupational background. It would be difficult to "type" them.

According to the 1094 records mentioned a few sentences above, applicants for work as taxi dancers in Los Angeles ranged in age from 21 to 57 (average, 24.48), in Detroit from 21 to 42 (average, 23.83). Detroit had more who gave their age as 21 (the minimum legal age in both cities), whereas Los Angeles had more who reported that they were 22, with fourteen in the latter city confessing to over 39 years. Fifteen years ago Creasey concluded "The taxi dancer group is essentially a young group, ranging in age from fifteen to twenty eight years. It was a common belief that very young girls were desirable as a lure for trade. While only advanced as a hypothesis, it is believed that the career of a taxi dancer ends in her late twenties."<sup>1</sup> Today, however, many taxi dancers begin rather than end their careers in the upper twenties. Most of the more successful ones are in the late twenties or early thirties. It takes several years to build a good clientele of taxi dance hall patrons.

As indicated in Table 1, the proportion of married applicants was extremely large in Los Angeles (63.07 per cent), and rather large in Detroit (48.81 per cent). The high rate, however, is in harmony with the great

TABLE 1

## MARITAL STATUS OF 547 LOS ANGELES AND 547 DETROIT TAXI DANCER APPLICANTS

Status	Los Angeles		Detroit	
	Number	Percentage	Number	Percentage
Married	345	63.07	267	48.81
Single	136	24.85	226	41.29
Divorced	65	11.90	51	9.36
Widowed	1	0.18	3	0.54
Total	547	100.00	547	100.00

increase of married women employed in other lines, according to John D. Durand,<sup>2</sup> an age by age comparison of 1890 and 1940 percentages of married women in the labor force shows an increase in every age group for which data are available. The present writer could not obtain figures as to the number of marriages of each married applicant, but he has knowledge of one taxi dancer with eight marriages to her credit (or discredit), five of them through taxi dance-hall contacts with patrons. The percentage of single applicants was amazingly low in Los Angeles (24.85 per cent), but somewhat higher in Detroit (41.29 per cent). The proportion of the divorced was only 11.90 per cent for Los Angeles and 9.36 per cent for

<sup>1</sup> *Ibid* p. 81.<sup>2</sup> "Married Women in the Labor Force," *American Journal of Sociology*, (1946), 218.

**Detroit Widows** were very few—one in Los Angeles and three in Detroit

The education of taxi dancers does not seem to be considered an important factor by the police, for, on the cards filled out by prospective taxi-dancers in Detroit, there is no question relating to school or education. In Los Angeles, however, over three fifths of the registrants reported high school attendance (Table 2), which is above the educational average of the

TABLE 2

## EDUCATIONAL LEVEL OF 547 LOS ANGELES TAXI DANCER APPLICANTS

	Number	Percentage		Number	Percentage
High school*	329	60.34	Teachers' college	5	0.91
Grammar school	190	34.73	Business school	1	0.18
University	21	3.82	Music school	1	0.18
			Total	547	100.00

\* The term "high school" does not signify graduation from high school, but rather refers to "high school" level.

population as a whole. It might be pointed out that during the preliminary interview of the taxi dance hall management, emphasis is placed on the woman's knowledge of current affairs and general information, rather than on her dancing ability. A good educational background permits the taxi-dancer to converse with a greater range of patrons.

There were forty nationalities among the 547 Los Angeles registrants, but 39.79 per cent were Irish, English, or English Irish, and 16.39 per cent French, Italian, French Irish, or German. Only 1.46 per cent were Jewish, and 1.09 per cent Polish.<sup>3</sup> The remaining 41.27 per cent of the taxi dancers were distributed among the following nationalities (in the order as listed) Spanish, Swedish, Scotch, Dutch, Hungarian, Indian, Portuguese, Russian, Mexican, Norwegian, Bohemian, Greek, Austrian, Armenian, Czech, Roumanian, Slovak, with 0.34 per cent reporting their nationality as unknown.

According to Lieutenant James Nelson, Head of the Dance Hall Detail of the Los Angeles Police Department, only one woman in twenty who taxi-dances in his city was born in California.<sup>4</sup> An analysis of the 547 prospective taxi-dancers of Los Angeles tended to support that estimate. There were no comparable data from the Detroit area. Most Los Angeles taxi-dancers are "foreigners," having been born outside the state and having lived elsewhere most of their lives. Texas and Oklahoma almost tied for first place in the distribution of taxi dancers' birthplaces, with 9.88 per cent and 9.69 per cent, respectively. Illinois and Pennsylvania contributed another 12.01 per cent, with California in fifth place with 5.09 per cent. Thirty-

<sup>3</sup> Cressy found that a large proportion of the Chicago taxi dancers came from the Polish areas of the city (op. cit. p. 57).

<sup>4</sup> Only 7.5 per cent of the population of Los Angeles are native to California, according to Sons of the Golden West, Los Angeles.

eight other states and Hawaii supplied 60.43 per cent. The remaining 2.90 per cent of taxi-dancers' birthplaces were found in Italy, England, Ireland, Porto Rico, and Siberia.

Among veteran taxi-dancers it is not uncommon to find girls who have been to both the Pacific and the Atlantic coasts, making their way about the country through their earnings in the taxi-dance halls. They have become a mobile group of a new variety. The writer, as a pianist, has played for the same girls in Detroit, Chicago, and Los Angeles.

The writer found fifty-two occupations reported on the 547 Los Angeles cards. The occupation of waitress leads, accounting for 23.74 per cent of the total number. Clerks, aircraft workers, former taxi-dancers, and housewives accounted for another 30.99 per cent. "No occupation" was listed by 3.28 per cent. Other occupations in their order of frequency include those of entertainer, salesgirl, stenographer, typist, WAC, drug clerk, factory worker, houseworker, machinist, photographer, telephone girl, usherette, cashier, hotel maid, laundry worker, nurse, riveter, welder, accountant, baker, beauty operator, bus girl, canner, barber, candy maker, engraver, furrier, hosiery maker, lathe operator, manicurist, model, milliner, caker, punch press operator, railroad worker, but there were many others of less frequency.

Many women listed two to five other occupations, most of them lasting but a short time. Many taxi dancers continue with their old occupations, and their work in the taxi dance hall is a sideline, engaged in primarily to supplement an insufficient income earned elsewhere.

In contrast to Los Angeles authorities, the Detroit Police Department is interested in the length of time the applicant has been in the city before she decides to become a taxi-dancer. Of the 547 Detroit registrants included in the present study, 3.64 per cent had been in Detroit from one to four days, 8.38 per cent from one to three weeks, 14.19 per cent from one to eleven months, 18.90 per cent from one to three years, and the remaining 54.89 per cent four years or longer.

Conversely, in contrast to the Detroit Police, the Los Angeles authorities question the prospective taxi-dancer as to the marital status and the whereabouts of her parents. About one-third of the 547 Los Angeles applicants reported that both parents were living and that they were living together (Table 3), and nearly a third of these (sixty couples) were reported to be in rural areas. The remaining two-thirds of the registrants came from homes broken by death, divorce, or separation. When one parent was dead, it was twice as likely to be the father as the mother, and, when one was unknown, about ten times as liable to be the father.

TABLE 3

## PARENTS OF 547 LOS ANGELES APPLICANTS

Status of Parents	Number	Percentage
Both parents living together	182	33.26
Father dead	120	21.92
One parent unknown	69	12.60
Parents living but separated	67	12.36
Mother dead	54	9.83
Both parents dead	40	7.31
Both parents unknown	11	2.00
Mother insane	2	0.36
Father insane	1	0.18
Father in prison	1	0.18
Total	547	100.00

The Detroit Police want to know with whom the taxi-dancer lives. This question is not asked by the Los Angeles Police, but Lieutenant Nelson estimated that three out of every ten applicants for taxi dance hall jobs live alone, and one out of five lives with a girl friend. The taxi dancer's associates do not often come from her own neighborhood within the city, but she is considerably detached from her early community ties. Often she seeks to keep her family entirely ignorant of her activities. The Los Angeles Detail expressed the opinion to the writer that requiring the registrant to report with whom she intends to live constitutes prying too much into personal matters and is not warranted by a mere application to become a taxi-dancer. However, the writer was able to ascertain the number of Los Angeles applicants who lived at home with their parents, this was 42, or 7.68 per cent.

TABLE 4

## PERSONS WITH WHOM 547 DETROIT TAXI DANCERS INTEND TO LIVE WHILE TAXI DANCING

With Whom Living	Number	Percentage
Alone	188	34.37
Girl friend	88	16.09
Both parents	82	14.98
Husband	80	14.62
Sister	21	3.82
Friend	19	3.44
Aunt	16	2.92
Mother	15	2.73
Brother	9	1.64
Cousin	7	1.27
Son	3	0.54
Uncle	3	0.54
Daughter	3	0.54
Children	3	0.54
Sister in law	3	0.54
Mother in law	3	0.54
Father in law	3	0.54
Father	1	0.18
Total	547	100.00

In the Detroit area (Table 4), over one third of the applicants expected to live alone, and over one-half live alone or with a girl friend. Approximately one half reported they would live with relatives. Taxi-dancers move often, however, and the police records are replete with changes of address.

The Los Angeles Police do not inquire whether or not the prospective taxi-dancer has any children. The Detroit Police are concerned about the children of taxi dancers and are particularly interested in their future care. Nearly three fourths of the Detroit applicants stated they had no children (Table 5), but 18.64 per cent reported having one child, and

TABLE 5  
THE NUMBER OF CHILDREN BELONGING TO EACH OF  
547 DETROIT TAXI DANCERS

Number of Children	Number	Per Cent
No children	396	71.52
One child	102	18.64
Two children	32	6.75
Three children	13	2.37
Four children	2	0.36
Five children	1	0.18
Six children	0	0.00
Seven children	1	0.18
Total	547	100.00

9.84 per cent two or more children. The highest number was seven, belonging to a widow of thirty-six who successfully supported her large family by taxi dancing. It is more than a possibility that some taxi dancers having children do not report them because of the interest assumed by the Detroit Police in the care of children. Unless the children are properly cared for, the taxi-dancer is not permitted to work.

# AN INTEGRATION OF THE COLLEGE MARRIAGE COURSE

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The college marriage course today resembles an unplanned but profusely blooming garden. Planted less than twenty years ago in a fertile soil but in an untested environment, it has borne an indigenous but prodigious fruit in terms of a large number and a wide variety of offerings. Often these offerings have been labeled without due reference to their true character, and they exhibit a confusing picture of methods, aims, requirements, and administration. The textbooks employed most often present the subject of marriage as a sort of catch-all in which everything from genetics to credit-purchasing is dumped without much thought of affinity or purpose, and the course is too often presented as a series of segmented topics ranging from "The role of religion in the home" to "Should the wife work?" To add a further touch of variety, these isolated topics are often presented by a series of guest speakers or collaborators who, however competent in their own fields, rarely are able to integrate their presentations with a fundamental theme of the course as a whole. In fact, a significant weakness of many college marriage courses is that they do not even have a basic theme or thesis.

From this point onward, the college marriage course usually takes one of two paths. It may travel in the direction of the so called objective approach, which often means simply the pedantic recitation of innumerable (but impressive) statistical studies ranging from the number of complaints symbolically indicated by a small group of atypical husbands and wives, to the percentage of Catholics who visit birth control centers. Or it may travel in the direction of the so-called individual approach, which may mean anything from a detailed analysis of abnormal case histories to a sentimental verbalization of the glories of parenthood.

Then, to complicate further an already confusing situation, in some schools specialization has separated the marriage course from the so called family course with an attempt to justify this dichotomy by designating the former as the functional approach and the latter as the sociological approach. It would not be at all surprising to find a lack of correlation between learning and doing, between school and life, in this area of marriage education.<sup>1</sup>

<sup>1</sup> Some teachers of marriage courses point with pride to the supposed functional applicability of the instruction by contending that students of such courses are much happier in marriage than the average. Their evidence, however, is usually of the simple card stacking variety smacking much of the commercial testimonial. According to the writer's knowledge, no reliable study of the correlation between the grades received in a marriage course and the degree of marital success has ever been made.

The characteristic diversification of the college marriage course is attributable to a variety of causes. In the first place, the field of marriage education on the college level is comparatively new, having received its greatest impetus only during the last ten years. In the second place, relatively few persons teaching the marriage course have been both well trained and pedagogically suited to function effectively in this rather unique academic field. In the third place, both academic people and many laymen have been somewhat skeptical (and often actually critical) of the propriety of such an approach to intimate human behaviors, particularly when those behaviors are so completely enmeshed in stubborn traditional rationalizations which resist objective analysis. And finally, the attempt to analyze (even without criticizing) various aspects of the contemporary marriage situation is constantly counterinfluenced by the persistent sentimentalization of marriage by everyone from radio oracles to syndicated columnists. Problems that even the subject of sex experimentation is presented as though it ably in no other field of human behavior is the scientific approach so beset with popular resistance as that which confronts the teacher of the marriage course.<sup>2</sup>

A major weakness of the average college marriage course is that it is both apologetic and authoritative. Its main purpose frequently is to provide rules and prescriptions of correct conduct based upon purely traditional and highly rationalized values. "Babies, of course!" is often the approach to the problem of parenthood—an approach which is basically an apology for tradition when one considers both the data on involuntary parenthood and the correlations between parenthood and marital happiness. "According to Doctor Smith's findings, with which I concur, the happiest marriage is one where husband and wife have the same interests . . .," shouts the professorial oracle, ignoring that many couples with diverse interests get along quite happily. In fact, too frequently the instructor is so far removed from his students' problems that even the subject of sex experimentation is presented as though it were a deliberate intellectualized process amenable to authoritative direction.

Another major weakness of many marriage courses is the increasing tendency to generalize and prescribe from a few highly selective studies. The fact that "One's chances are improved by . . .," or that "In the ma-

<sup>2</sup> Some interesting treatments of these various problems can be found in a symposium, "Teaching College Marriage Courses," *Marriage and Family Living*, VIII (1946), 32, and in an article by E R Groves, "Professional Training for Family Life Educators," *ibid* p 25.

jority of cases we find that . ." has little meaning to any particular student except perhaps as a very crude indication of the behavior of a small group of strangers

Finally, the marriage course suffers from an inherent weakness uncommon to other types of college training. That weakness is the inability to test empirically the functional retention of the materials learned in the course. Because marriage is more than simply a collection of facts and skills, the value of any preparation would need to be measured by—as it were—performance on the job. Until we can state authoritatively what the factors are that explain the success or failure of a given marriage and can then demonstrate that those factors were manipulative by the type of experiences encountered in a marriage course, we cannot state conclusively that this educational process is accomplishing its purpose.

## II

It seems timely to consider an integrated approach to the problem of marriage and family life education along the lines of a scientific discipline. But before this field can achieve the at least outward respectability of a science with an integrated approach, it must assume at least some of the basic characteristics of a science. For example, it must abandon the all-too-common sentimental and ameliorative approach epitomized by the insistence on what should be rather than on what is. It must adopt a standardized objective vocabulary which avoids such romantic or Puritanical ambiguities as "happiness," "petting," or "primary sex experiences." It must begin the formulation of working principles based upon reasonably accurate observations. It must set up a number of meaningful hypotheses which can be tested under somewhat empirical conditions. And finally, it must synthesize the various scatter-shot approaches into a co ordinate definition of marriage behavior based upon reality rather than upon tradition or fiction.

An integration of the college marriage course first requires a statement of purpose, and by common consent, as it were, that purpose is basically functional or, in the jargon of professional educators, "student centered." This does not necessarily admit that the present artificial division between the marriage and the family course is justified, but it does admit that the major purpose of the marriage course is to prepare the student to meet his own marriage and family problems in a somewhat intelligent manner. It is particularly for this reason, first, that analysis of what other people do in terms of statistical typicalness is meaningless to the individual student whose behavioral Gestalt is never typical, and second, that the prescription of goals or standards in terms of arbitrary and authoritative

opinions is useless to the student who, in all probability, has never even given serious thought to why he desires to marry at all.

But the basic or functional purpose of the marriage course does not necessarily limit its scope to an analysis of individual student experiences. It is precisely at this point that the two approaches to marriage and family behaviors (the individual and the cultural) should be co-ordinated to effect the union of the marriage and family courses. For marriage is fundamentally a highly integrated pattern of sociopsychological interrelationships which, however specific within themselves, nevertheless derive their meaning only from the whole psychogenic and cultural situation.

Therefore, the student first needs to understand his own propensities and predilections toward marriage in terms of his particular psychogenic experiences. He needs to understand, as it were, his own marriage Gestalt. Emphasis would need to be placed upon the conditioning processes of childhood, but it should be recognized that the childhood conditioning for marriage is both a general and a temporal process—temporal in that the experiences of one's elders can rarely be relevant to the problems of another generation.

Secondly, the instructor of the marriage course should never lose sight of the fact that the motives for marriage are in most cases simply idealized rationalizations rather than well defined, realistic objectives. As any experienced marriage counselor soon learns, most people approach, enter, and often travel a long way through marriage with vague and ambiguous reasons for their particular marital choice. "Why marry?" and its resultant "Why marry so and so?" are very complex philosophical questions. To go along with the popular assumption that the desire to marry is "natural," or that it is even desirable for everyone in order to achieve "happiness," is just as unrealistic as to assume that the student has clearly defined his marital objectives when he says that he is marrying so and so because she has "character" or simply because he "loves" her. The term "character," of course, like the term "love," serves too often as a psychological armor to protect a deficiency of clearly defined motives or to shield unmentionable (that is, romantically disapproved) desires, such as sheer sexuality or economic advantage.

The purpose, then, of the marriage course should be, first, the orientation of the student to his own sociopsychological history so that he may realize and understand his own marital Gestalt, and it should attempt to integrate that individual pattern into the available or chosen social situation. At this point the second major purpose of the marriage course suggests it-

self namely, to portray to the student in terms of social dynamics how his own prospective marriage will be both directly and indirectly influenced by impersonal social factors and trends. This dual approach is suggested to overcome the limitations both of the highly personalized and of the overly impersonalized approaches which too often differentiate the marriage and family courses.<sup>8</sup>

To summarize the foregoing discussion, the following points should be emphasized: (1) The present situation in marriage and family education on the college level evidences a confusing picture of aims and methods; (2) This confusion is attributable to a variety of factors ranging from textbook influences to the restrictions imposed by the social and academic environment; (3) Before this field can be developed further, it requires a basic integration of aims and methods as well as an increasingly scientific approach; (4) This integration should admit the essential unity of the two fields of marriage and family education; (5) The presentation of materials should be student centered, but should interrelate the experiences of the individual student with contemporary social dynamics and trends.

### III

The methods employed to achieve this basic integration are not necessarily new or even different from those employed in some other fields. In practice, of course, three standard methods are almost universal—the lecture, readings, and case history analyses. Probably these three basic methods have much to commend them in terms of practical pedagogic limitations, but the type of integration herewith proposed requires the employment of every practical approach to effectuate its purpose.

The use of audio visual aids, for example, has been largely limited to slides and movies showing the biological facts of physiology and fertilization. Other uses of these media, however, might be suggested. The analysis of a few selected motion picture plots featuring marital and domestic problems has been found useful, although admittedly difficult to arrange in terms of student time. The analysis of some radio plots—yes, even some soap operas—has a useful pedagogic value if employed judiciously within a well defined limit of purpose.

Reading is too often limited to standard texts, journals, and reference books. Primary though these sources may be, additional value can be found in the classical or fictional literature, such as *Lysistrata*, *Madame Bovary*,

<sup>8</sup> An interesting general discussion of these points can be found in an article by H. Bowman, 'Education for Marriage and Family Life,' *Marriage and Family Living*, VIII (1946), 63.

and even the stories of de Maupassant. The use of the psychodrama, although still in its experimental stage, should offer some possibilities, especially in advanced classes. Admittedly difficult to employ judiciously, it is suggested merely to emphasize the scientific and experimental approach to marriage problems. Perhaps enacted case histories, or analysis of dramatic presentations, might serve as a substitute for a true psychodrama, but certainly the application of learned facts could profitably be encouraged by this type of quasi-experimentation.

Another device which seems to have functional value is a cross between the psychodrama and the symbolic stage presentation. Students are asked to submit case-history analyses of real situations, preferably of close friends, which the whole class can proceed to discuss. The case history seminar method is particularly useful on the upper-division level after the students have been exposed to the basic courses in psychology and sociology. It also provides the instructor with the opportunity to discuss multiple causation rather than to limit himself to a description of symptoms, and from the student point of view this technic exemplifies the so-called situation in being approach. A further variation on this method is the round-table analysis of a problem by a group of faculty—not as complementary lecturers, but as spokesmen for different interpretations of a specific problem. The interplay of viewpoints, of facts and of emphases applied to a specific case can be a very meaningful experience for the students.

Finally, the individual consultation serves in its own way better than other methods to bring home to the student the meaning of the materials employed in class. How marital counseling can best be effectuated is, of course, a complex administrative as well as psychological problem. Undoubtedly the assembly line method so often employed is no better than the father confessor approach to a student's problems. The important point, however, is that all available resources and methods should be employed to bring to the student the particular type of assistance he finds most useful.

At a time when professional educators are thinking seriously about the role of education in a free society, we who function in the fields of marriage and family education should give greater thought to the integration of our field both with the total curricula program and with the problems of the larger society. We would find, for example, not only that the present educational program is "designed for celibates," but that "successful marriage and family life must cease to be merely a by-product of our educational system and become one of its major objectives."<sup>4</sup> Although increas-

<sup>4</sup> Bowman, loc. cit.

ing emphasis upon this type of training can already be noted, this paper has tried to point out some of the pedagogic housecleaning that needs to be done within our field before we can offer a truly broad, co-ordinate program which can be integrated with the changes already being suggested in other fields. It is hoped that by assuming leadership in this vital educational field the sociologist may be ready to offer a well defined program which exemplifies the functional and integral partnership of school and society.

## A SURVEY OF SOME CHANGES IN THE SEATTLE JAPANESE COMMUNITY SINCE EVACUATION

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The community of about 7,000 persons of Japanese ancestry in Seattle prior to the war suffered a major dislocation with its evacuation in the spring of 1942. The lifting of the exclusion orders some three years later, in January, 1945, started a gradual return of some 4,700 of these displaced persons, but their return was not without serious problems of economic and social readjustments and of adaptation to the altered conditions of the city. This paper is an effort to describe some of the changes that have occurred, especially with reference to the population composition, ecological distribution, housing conditions, and occupational structure.

Because we did not have data on the returned population for comparison with the available data on the pre war population, the first concern of the study was to undertake a sample survey to obtain the necessary information. The sampling method chosen was selected from considerations of its facility in undertaking, inexpensiveness, and apparent reliability.

### METHODOLOGY

The sampling method involved the use of the address as the sampling unit,<sup>1</sup> and required for the universe the construction of a catalogue of all the addresses at which persons of Japanese ancestry in Seattle were known to reside. The sources of this catalogue were various agencies and organizations having substantial lists of the names and addresses of Japanese Americans. Compilation was started with about 2,500 individual names from the file of the now defunct Seattle office of the War Relocation Authority, but since this list was obviously incomplete, partially out of date, and somewhat

<sup>1</sup> The "address" refers to a single residential building regardless of size. Thus a multi family apartment building having only one street address is considered a unit, just as is a single family dwelling unit.

inaccurate, it was corrected and supplemented by successive comparison with lists from the Buddhist and Christian churches and from other organizations. The sharp reduction in the number of new names and addresses which had to be added at the later stages of compilation indicated that review of additional files would be relatively unprofitable.

In the nature of the lists available, active and employable persons fifteen to twenty years of age and over were recorded with fair completeness, but housewives, children, and persons without agency or organizational contacts were consistently under-enumerated. A random sample of the Japanese American population of Seattle obviously could not be drawn from such a list. On the other hand, although the catalogue was incomplete for all the individual names, there was reason to believe that it was virtually complete for all addresses at which Japanese Americans in Seattle were residing. Moreover, the assumption of the completeness of the file of addresses was subject to independent test.<sup>2</sup> These considerations led to the use of the known addresses as the universe from which to sample.

Examination of the addresses showed that they were concentrated in certain tracts, with some dispersion into outlying areas. A five fold stratification by census tracts K, O, P, M Q, and 'all others' was, therefore, used for sampling purposes. Because of the variations in the size of the residential units being sampled, a second stratification by the number of families per address was also used. These numbers were roughly determined by sorting out the individual cards to show the number of surnames at each address. On the assumption that each surname represented a single family, five strata were defined as follows: residential units having one to two, three to five, six to twelve, thirteen to nineteen, and twenty or more families, respectively. Addresses were then drawn at random from each of the sub strata. Because the catalogue of addresses contained relatively few cases in the larger residential buildings, the sampling fraction was progressively increased for the latter strata. Thus an approximately ten per cent sample of the one to two family residences was taken, a fifteen per cent sample of the three to five family residences, a twenty per cent sample of the six-to-twelve-family residences, a twenty five per cent sample of the thirteen to nineteen group, and a fifty per cent sample of all addresses with twenty or

<sup>2</sup> As a check on our method of estimating population, an estimation of the number of veterans was made from our sample and compared with the known number of Nisei veterans in the city. Our estimate showed 396 veterans present as compared to 373 veterans listed by the Nisei Veterans Committee. The Committee admits, however, that its list contains a slight under enumeration of the Nisei veterans in Seattle.

more families By this procedure, 113 addresses were drawn from a total of 867, approximately a thirteen per cent sample of all addresses

Interviews were recorded on individual schedule cards and were carried out by the present writers aided by a corps of assistants, mostly students The instructions required that all persons of Japanese ancestry at each address sampled be enumerated Beginning on the census date, February 22, 1947, almost a full month was required to complete the interviews

All estimates from the sample were determined by the simple arithmetical operations of summing the number of cases in each of the sub strata, multiplying each sum by the reciprocal of the respective sampling fraction, and totaling the estimates of all the strata

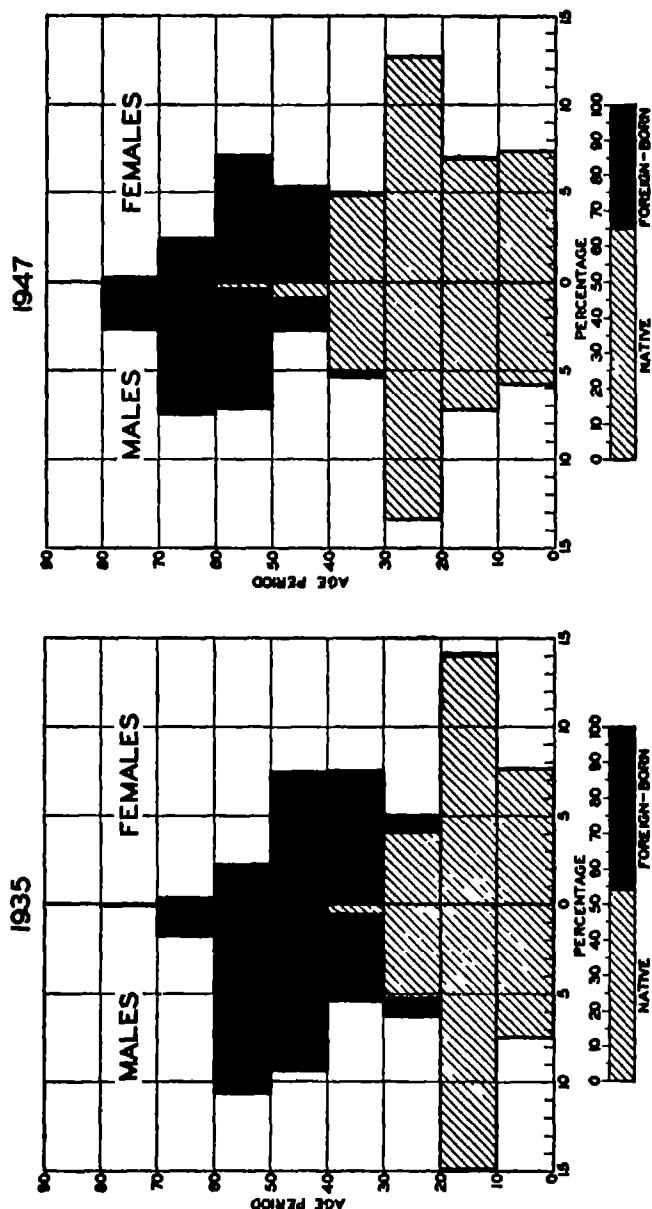
#### FINDINGS

The present population of the Japanese minority in Seattle is estimated at fewer than 4,700 persons, which is approximately two-thirds of the 6,975 that were recorded by the U S Census in 1940 Some of the loss was due to the high death rate of the aging Issei and is a projection of the declining trend of the population that has been observable since 1924, but the more important factor in the decrease was the eastward migration precipitated by the evacuation and the WRA re location program

Since the eastward movement during the war period tended to be selective of Nisei in the fifteen to thirty five age categories, it has been suggested that the evacuee population returning to the Pacific Coast would be weighted with Issei and show a shortage of Nisei in the twenty to forty age period The data for Seattle, however, do not bear out this hypothesis Fifty nine per cent of the Japanese American population of Seattle in 1940 was native born, whereas about 65 per cent today is native born (see Chart 1) This gives, approximately, the expected decline in the foreign born population Furthermore, in the present age distribution, the native born between the ages of twenty to thirty, both males and females, constitute by far the largest single age class, and a fair proportion are also to be found in the thirty to forty age group There is apparently no dearth of Nisei at these ages

One reason for the unexpected proportion of Nisei in the active age periods is that many who relocated eastward during the war have, for reasons of family responsibility and other considerations, been drawn back to Seattle In addition, many Nisei from Seattle who entered the armed forces returned to this city rather than settle in the Mid West or East These men were discharged late in the war or after the end of the war and, lacking

AGE AND SEX DISTRIBUTION OF PERSONS OF JAPANESE ANCESTRY  
SEATTLE: 1935 AND 1947



the opportunity to establish themselves elsewhere during the height of the wartime boom, have tended to drift back to their home town.

The population has been reshuffled in other respects. Approximately six hundred of the present Seattle residents are people who lived elsewhere prior to the war. The majority of the in-migrants are farmers, sawmill workers, and railroad workers from other parts of the State of Washington, but there are also additions from California, Oregon, Alaska, Hawaii, and the inter-mountain and mid-western states. Conversely, a number of former Seattle residents have migrated elsewhere along the Pacific Coast, particularly to the Los Angeles area.

Both the business center and the residential area are again in roughly the same location as before the war, but there have been considerable minor shifts because of the housing shortage and the displacement from former residences caused by a sizable increase of the Negro population. Population concentration is, in some respects, more marked than before. Because of the housing shortage and high rentals, there has been some tendency toward the doubling up of families in the smaller dwelling units, and of congregating in a number of multiple family units. One method by which those with the financial means have solved both their housing and employment problems has been to lease hotels, apartment buildings, or rooming houses for residential purposes, and in turn to rent rooms and apartments to other Japanese-Americans. At the same time, the housing shortage has produced dispersal as home-seekers have had to extend their search for desirable vacancies into areas previously not occupied by the Japanese minority. Occasional discussions of experiences with restrictive covenants and property-holders' resistance suggest the existence of such a pressure toward outward movement. Japanese Americans are now also distributed in fifty eight residential units in various public housing projects, most of them in outlying parts of the city.

Questions relating to housing conditions were asked of the people interviewed. In reply to the inquiry "How does your present housing compare with your pre-war home?" 13 per cent declared that the housing now is better, 39 per cent that it is the same, and 42 per cent that it is worse than before. To a second question "Is your present housing satisfactory or unsatisfactory?" 35 per cent expressed definite dissatisfaction, whereas the remainder voiced satisfaction with some qualification. The overwhelming majority of the unfavorable expressions referred to crowding and the limitations of space.

The most radical changes in the community have occurred in the occu-

pational status of the population. One notable difference is the proportion of the labor force constituted by the Issei. In 1940 there were almost two Issei who were gainfully occupied for every Nisei, but today there are more Nisei than Issei workers. As a result, a transformation of their relative status is occurring, for, although the Issei still retain significant controls over the capital wealth in the community and can wield economic pressures upon the Nisei, they are increasingly forced to recognize the independence of the Nisei. With the median age of Issei males at sixty-one years, the Issei may rapidly become a negligible element in the labor force.

Special difficulties inhere in this transition of economic controls, for the working population is composed of persons at the ages where they are either just beginning their employability, or ending it, and there is a noticeable gap of the middle group. The Nisei are still comparatively young and have yet failed to gain a firm foothold in the economy, the Issei, on the other hand, are rapidly becoming unemployable because of old age, and, inasmuch as they swell the ranks of the dependents, they add to the burdens of those who are attempting to establish themselves. The chief complication in the situation is that the evacuation undermined the economy of the Japanese community, and many who otherwise might have maintained a secure economic position do not enjoy such a stability today.

No less important are the changes in the types of occupations in which the people are engaged. Table 1, which shows the occupational structure

TABLE I  
OCCUPATIONS OF JAPANESE AMERICANS 14 YEARS OF AGE AND OVER IN THE LABOR FORCE IN SEATTLE, 1940 AND 1947

OCCUPATION	Number		Per Cent	
	1940	1947	1940	1947
TOTAL	3223	2030	100.0	100.0
Professional & semi professional	139	68	4.3	3.3
Farmers & farm managers	35	—	1.1	1.1
Proprietors, managers & officials	729	425	22.6	20.9
Clerical, sales & kindred workers	580	381	18.0	18.8
Craftsmen, foremen & kindred workers	119	93	3.7	4.6
Operatives & kindred workers	471	214	14.6	10.5
Domestic service workers	198	93	6.1	4.6
Protective service workers	3	44	—	2.2
Service workers except domestic & protective	669	477	20.9	23.5
Farm laborers & foremen	61	—	1.9	—
Laborers except farm & mine	219	235	6.8	11.6

Source of 1940 data: Wartime Civil Control Administration, Statistical Division, Western Defense Command & Fourth Army, Bulletin 12, March 15, 1943, pp. 48-50 (Special tabulation by U.S. Census).

Source of 1947 data Survey by Robert W O'Brien & S Frank Miyamoto, February 22, 1947

in 1940 and 1947, reveals a decrease in the percentage of proprietors and of operatives, and an increase of service workers and of laborers To be sure, these data may also be interpreted to show the relative absence of change considering the general similarity of the percentages, and there are certainly many who are in the same or similar occupation as before But the broad occupational categories conceal certain differences of importance the greater dependence today upon Caucasian employers rather than Japanese-American enterprisers, and the decline in specialization in certain types of private trade

In pre war years Japanese Americans operated 206 hotels, 140 groceries, 94 cleaning establishments, 64 market stands, and 57 wholesale produce houses, the majority of which catered to Caucasian trade<sup>3</sup> Today there are only a handful of these establishments, except for the hotel operators, they start on a relatively small scale and are dependent on the trade of the Japanese community or the polyethnic population of the area Close integration with the larger economy has yet to be revived

The decline of Japanese American enterprises has resulted in a corresponding decrease of the number of clerical workers employed in such businesses On the other hand, these workers have been largely absorbed into Caucasian agencies and firms, as, for example, in Civil Service positions which have become a major occupational outlet, particularly for the veterans and girls with office training Similarly, though there has been a decrease of operatives in Japanese owned small industries, such as laundries, there is an increase of pressers and power machine operators in Caucasian owned textile fabricating industries The largest single group of employees today is the building services workers, most of whom are employed by several of the leading Seattle hotels and three major hospitals, which hired almost no Japanese Americans prior to the war These workers have been drawn from all types of occupational background

The replies to questions referring to income and job satisfaction reflect some of the ambiguities in the present economic situation

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<sup>3</sup> Seattle Chapter, Japanese American Citizens League Report Submitted to Tolson Congressional Committee on National Defense Migration (mimeographed report, Seattle, Japanese American Citizens League, February 1942) pp 27-30

		Nisei	Issei
How does your present income compare with pre evacuation income?	Less	29%	19%
	Same	19	13
	More	52	28
In relation to the cost of living, how does your present income compare with pre evacuation income?	Less	56%	69%
	Same	28	23
	Better	16	8
What do you think of your present position?	Satisfactory	82%	71%
	Unsatisfactory	18	29

Although a majority of the Issei state that their present income is less than pre-war, the income of the Nisei tends to be more, for many of the present Nisei workers were school-aged youths at the outbreak of war. Almost as large a percentage of the Nisei as the Issei, however, consider their present income, when related to cost of living, as less than that before the war. Nevertheless, only about one-quarter of the workers declared their present position unsatisfactory.

There is evidence that the community has rebounded from the economic dislocation of the evacuation with surprising resilience, and, despite the high cost of living, few families show any financial distress. On the other hand, an estimated 18 per cent of the employable population is at present unemployed. Although it is true that most of these individuals are without jobs by their own choice, because the jobs available are unsatisfactory, the high rate of unemployment nevertheless reflects a fundamental economic maladjustment. By contrast with pre-war conditions, a large percentage of the gainfully employed are working for non Japanese, and are engaged in semi-skilled work which gives the least assurance of security in the event of economic recessions. At the same time, the people have not yet re-established themselves in private enterprises in the most lucrative areas of trade.

The materials presented suggest that while the Japanese-American community in Seattle today bears many features of similarity to the pre-war community, there are also many important differences. Not only are the home and employment adjustments of the people still in flux, but there are evidences of a fundamental transition from Issei to Nisei control. The foregoing data are intended to provide the basis of a more thorough analysis of these phenomena.

# THE FUTURE DEVELOPMENT OF INDUSTRIAL SOCIOLOGY

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The future of industrial sociology may not actually proceed within the specific framework which I shall describe<sup>1</sup> I shall have no quarrel with those who propose alternate or supplementary schemes It is enough for the moment to secure agreement that industrial sociology has been born and that it shows promise of becoming a stalwart member within the sociological family

It must be admitted that no one has yet presented a book, monograph, or text titled *Industrial Sociology* No one has carefully delineated the field Mary Van Kleeck's article in the *American Sociological Review* last October probably expresses the current form of development The article was titled, significantly, "Towards an Industrial Sociology"<sup>2</sup> The titles of recent books exploring work relations reflect the amorphous character of the field They range from Moore's *Industrial Relations and the Social Order*, Whyte's *Industry and Society* and Gardner's *Human Relations in Industry* to Mayo's *The Social Problems of an Industrial Civilization*

There is a confusion of purposes Some think that students of industrial sociology should turn their full and direct attention to the current labor management conflicts and try to find solutions Others think that the field should parallel industrial psychology that is that attention should be directed at solving management problems as they relate to worker morale and efficiency Still others think the rich rewards lie in new knowledge about labor organization

In the midst of this lack of consensus, it is easy to forget that sociologists have been studying group problems for a long time Moreover, a survey of research in the field of industrial relations shows that social researchers from business administration, economics, sociology, and psychology have been making contributions that have grown into a sizable segment of verified principles What has been lacking to give coherent and systematic unity has been the kind of glue that laminates these segments into a weld based on synthesis and integration

This paper does not propose to present a conclusive theory that might secure this happy cohesion It does seek to lay down a framework which

<sup>1</sup> The general framework adopted here is the result of the joint thinking of the writer and Dr William H Form Michigan State College A more complete integration of research and theory may be found in their *Industrial Sociology* (in preparation, Harper & Bros.)

<sup>2</sup> Mary Van Kleeck, *Towards an Industrial Sociology*, *American Sociological Review*, XI (1946), 501-05

will guide future efforts into productive channels This purpose will be attempted by providing answers to six questions

### I WHAT WILL BE THE ORIENTATION OF INDUSTRIAL SOCIOLOGY?

It is suggested that sociologists will be able to make their most fruitful contribution by relating the knowledge which they already have to the study of work plants Many sociologists have awakened to the discovery that they have simply been overlooking the social institutions of work They know that they have examined such social institutions as the church, the school, the family, and the movie theater They have gone up and down the streets studying residential housing, taxi dance halls, gold coasts and slums, ghettos, Chinatowns, skid roads, rooming houses, gambling joints, brothels, burlesque theaters, and street corner society In all of this embracing work, very few sociologists have ever stopped to study the department store, the office, the factory, or the warehouse

History will record that it took three Harvard professors from the Graduate School of Business Administration—Mayo, Roethlisberger, and Whitehead—to awaken professors and business men to the simple truth that work behavior is social behavior We now know from the Western Electric research studies that the crucial factors determining worker morale and efficiency are social factors We know that a major share of the social relationships in which an individual finds himself are work relationships or work-influenced relationships The social network of work relations arises as each worker strives to find an emotionally secure social position within his immediate work group Inside the work plant is a social world in which men and women live a large part of their lives Personality is formed by these contacts, and occupational groups become major influences on the development of personality

The future industrial sociologist will work as Mayo has counseled

The first step is the patient, pedestrian development of 'first hand knowledge' or knowledge of acquaintance<sup>8</sup> The second step is that of the administrator, the clinician the artisan—intimate acquaintance with the facts gives rise to skill in handling them The demonstration of an unquestionably effective skill is immensely important, for it provides the justification, and at first, the only justification, for the third step The third step is the clear statement, for laboratory test and development, of the logical implications of the effective skill<sup>8</sup>

### II HOW WILL INDUSTRIAL SOCIOLOGY BE DEFINED?

Whatever may be the symbols of a definition, Industrial Sociology will

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<sup>8</sup> Elton Mayo, *The Social Problems of an Industrial Civilization* (Cambridge, Mass Harvard University Press, 1943), p 115

be defined by what sociologists do about work plants and the workers in them. If sociologists undertake to define the processes of social interaction that result in social organization and personality as individuals play the role of workers, major interest will be directed toward the social structure of work plants and the social adjustments of workers within various work-plant societies. Industrial sociology will be thus defined as including the study of work groups, the social products of work-group interaction, the role the worker plays in such groups and how he, in turn, is affected by them.

### III WHAT WILL BE THE OBJECTIVES OR AIMS OF INDUSTRIAL SOCIOLOGY?

Practical goals for industrial sociology include (a) work guidance, (b) vocational placement, (c) industrial efficiency, and (d) industrial peace.

*Work guidance* refers to the understanding of social factors in the work environment within which a worker attempts to find a work position. This is the broadest, most liberal goal of the four aims. Just as broad understanding of marriage and family life is useful to the subsequent adjustment of the individual, so the broad understanding of the social world of work is useful to the subsequent adjustment of the individual within the work plant. Surveys continually show that the greatest reason for job failure is not lack of technical knowledge or skill but inadequate social insight and social skill. Industrial psychology has developed tests of matching workers to jobs in so far as technical knowledge and interest are concerned. But the tests to match workers to jobs so that social skills are appropriate for the social demands of the work position have yet to be perfected.

*Vocational placement* is social placement. If workers and jobs are to be truly matched, the industrial psychologist must team with the industrial sociologist. The psychologist will furnish pertinent data on the prospective worker, such as his learning ability, his special aptitudes, his vocation interests, and his personality traits; the industrial sociologist will provide a job analysis which will show the social skills required and the social role necessary for successful adjustment. These twin sets of data can be used in the placement of a new worker and in the transfer and upgrading of old workers.

*Industrial efficiency* is a third major goal. It is a verified fact that the feelings and attitudes of workers are more important in determining worker morale and efficiency than the physical conditions under which the laborers work. The worker achieves his highest output when he feels he is working in a group whose members accept him and whose bosses are vitally inter-

ested in him as a human being. The goal of industrial efficiency may be considered an economical goal, if so, it is inseparably interlocked with social goals. To guide and direct both management and labor along this pathway is perhaps the greatest challenge to industrial sociology. If this can be done, the next target can be brought within the sights of our guns.

Industrial peace is a final goal. When industrial sociologists combine forces with industrial and labor economists, there may be more likelihood of solutions to the labor management conflicts. Conflict is an outgrowth of different interests, induced both inside and outside the work plant. The causes are predominantly social and their etiology is to be discovered in the nature of the social organization, including both the formal and informal organizations which enclose management and labor.

#### IV WHAT WILL BE THE CONTENT OF INDUSTRIAL SOCIOLOGY?

If a sound base is to be built under Industrial Sociology, it may be presumed that sociological materials must be gathered in at least four areas: (a) the social organization of work plants, (b) the social adjustment of workers, (c) the relation between the work plant, its workers, and the local community, and (d) the relation between the work plant, its workers, and society. Boundaries laid out in these four directions must constantly recognize that the relation of workers to one another is of paramount significance in understanding the behavior of either an individual or a group. What happens in the work plant, in the local community, and in the great society may bring a train of influences to bear upon work behavior. Some of these influences are direct, evoking clear and immediate response, some will bear with such subtlety as to go unnoticed until the careful investigator has probed deep into the social factors operating both within and without the work plant. This task will require measuring instruments to analyze delicate work relations. It will demand techniques that will enable the industrial sociologist to manipulate workers into work groups so that optimum work relationships are maintained.

#### V WHAT RESOURCES DOES INDUSTRIAL SOCIOLOGY NOW HAVE?

Industrial Sociology can draw upon a growing body of knowledge describing the formal and informal groupings of workers inside work plants. The conception of the factory as a community or social system has focused attention upon grouping, principles of stratification, vertical mobility, and attitude formation. The study of specific occupations has shown the way in which work roles are determined by the social structure of a given work plant. Public opinion polling has been revealing the way in which diverse

attitudes are related to occupational identification. The study of interpersonal relationships has produced sociometric tests to make possible the combining of workers into groups which will function more harmoniously and more productively.

## VI WHAT NEW AREAS OF DEVELOPMENT WILL BE OPENED?

There is neither space nor time to do more than make a selection of needed industrial sociological research, trusting best as to our own lights that the selection will be most pertinent. Therefore four immediate areas are suggested, each related to the long-run objective described.

**A** Industrial Sociology will explore the influence of work relations on personality and life patterns.

The job is a central strand in the pattern of an individual's life. It looms large, as Mannheim would say, in the *plan of life*. Professor Fred Cottrell begins his sociological study of *The Railroader* with the following introduction:

'How do you do?' is the meaningless phrase which Americans are likely to employ upon being introduced to each other. 'What do you do?' is the meaningful question likely to follow if the meeting is to have more than merely perfunctory significance. So prominent is the role we assign to occupation in our anticipation of attitudes, habits, and status. When a man's occupation is known, a great deal about him may be immediately deduced with a high degree of accuracy until it is known little can be said about the role he is playing or about his status in either his own eyes or those of his fellows.<sup>4</sup>

What are the social forces influencing the occupational histories of persons in these occupational classifications? What characteristics distinguish the workers themselves? What style of life accompanies these work histories? These and more questions remain unanswered. They may become the research hypotheses of future work. Already E. Witte Bakke has explored the social adjustments of the unemployed worker. C. Wright Mills is currently investigating the white collar worker, and W. Lloyd Warner is analyzing the factory worker. This area of research should yield a bountiful harvest.<sup>5</sup>

**B** Industrial Sociology will develop techniques to analyze the social skills required in work positions.

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<sup>4</sup> *The Railroader* (Stanford University Press, 1940), p. 1, cf. Carlo L. Lustruzzi, "The Status and Significance of Occupational Research," *American Sociological Review* XI (1946), 78-84.

<sup>5</sup> To secure necessary condensation for publication, the research illustrations which accompanied the presentation of the paper are omitted. A full research report is to be found in D. C. Miller and W. H. Form, 'Measuring Patterns of Occupational Security,' *Sociometry* XI (October, 1947), see also by the same writers, "The Measurement of Occupational Adjustment" (in preparation).

A second area of development will undoubtedly arise in the social analysis of work positions. The need for more adequate description of the social skills required for successful performance in different jobs comes into increasing prominence as the importance of success on the job is defined ever more largely in terms of social skills rather than technical skills. The industrial psychologist has not done this kind of work.<sup>6</sup> The industrial sociologist should assume responsibility for the analysis of social skills in work positions. He has the theory and the techniques to begin such work. The present writer has attempted to break some ground in this direction and has indicated in an earlier article that it is possible to evaluate social skills which inhere in a work position.<sup>7</sup>

The need now is to take a further step—to clarify the role which the individual must play to be successful in the group and society in which he or she will be associated. This description of the role becomes part of the data which should accompany the measurement of the social skills required of the work position. It is the kind of data which are not now brought to bear except in an impressionistic, intuitive way when selection is made for any work position. Undoubtedly improvements in role diagnoses can be achieved. Such descriptions can be improved by the industrial sociologist as he is able to gain entry into the work situation. Then the interviewing of workers within work groups and the observation of their behavior can be more carefully evaluated, and a more systematic record can be developed.

C Industrial Sociology will explore the requirements for optimum combinations of workers into productive work groups.

Mayo has shown in his study of the West Coast Aircraft Industry that both absenteeism and turnover are significantly lower in work groups with strong cohesion built about a socially responsive leader. This has awakened a new appreciation of the social character of work groups and of the leader who defines the purposes. With the techniques of sociometry we are now able to form individual workers into groups of workers who have a desire to work together. With the social techniques of vocational placement we shall be able more accurately to identify and place the leader in his optimum work group. Supervisory training has reached a stage of development with the perfection of conference training and psychodrama<sup>8</sup> that the training of leaders in the required social roles of supervision can

<sup>6</sup> Cf Mayo, *op cit.*, p. 20.

<sup>7</sup> Delbert C Miller, "The Social Factors of the Work Situation," *American Sociological Review* XI (1946), 300-14; cf. Joseph W. Eaton, "Experiments in Testing for Leadership," *American Journal of Sociology* LII (1947), 523-35.

<sup>8</sup> Application of psychodrama to supervisory training is illustrated by John R. French, "Role Playing as a Method of Training Foremen," *Human Factors in Management* (edited by Schuyler Dean Hoslett) (Parkville, Mo.: Park College Press, 1946), pp. 99-116.

now be expedited by in plant training. When the socially responsive leader has been matched and trained with the group who accept him, the basis for the work team has been properly laid. Mayo found that when workers become teams, a new spirit of freedom marks the efforts of each worker. Morale and output go up, and absenteeism and labor turnover go down. The economic profitability of this result can be great. The satisfaction of the worker is raised measurably. But it will not just happen except by occasional accident. There are three processes which must be compounded:

- (1) The creation of small working social units instead of aggregates of workers.
- (2) The selection and placement of leaders into a socially matched working unit.
- (3) The training of leaders in their prescribed social roles.

D. Industrial Sociology will relate the internal organization of the work plant to the social organization of society.

We know the social organization inside a work plant is a network of social relationships both flexible and delicate. The network is influenced profoundly, albeit subtly, by the social forces which sweep about in the larger society. War and unemployment reach out from that larger society and shake the nervous systems of workers. Fear and preoccupations arise to disrupt morale and efficiency. Sociologists can bring all of their knowledge of social organization and disorganization to bear upon the problems of social adjustment as they affect social groups.<sup>9</sup> Social participation in societal groups is interrelated with the social participation of the worker in work groups. The industrial sociologist must find better methods of recording the social effects of mass communication and family and community living upon the person at work. He must, in turn, be able to trace these effects to the work plant where work behavior is affected. The quantitative techniques needed for these tasks present some of the most difficult research problems in sociology. Advances in attitude measurement, non-directive interviewing, the role-playing technique of the psychodrama, and the interactional chronograph promise to be the tools which can bring the task into immediate focus.

When these objectives are reached, industrial sociology will no longer have an unfamiliar ring. It will have demonstrated that the compass of our mother discipline, sociology, is wide and strong. It may even silence that kind of cynicism which so often interrupts with the ever-disturbing question, "But what can a sociologist do?"

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<sup>9</sup> See Paul Meadows, 'A Preface to Post Industrialism,' *The Technology Review*, XLIX (December, 1946), 101-09; also Paul Meadows, 'Human Relations in Industrial Civilization,' *The Technology Review* (M.I.T.), XLIX (1947), 341-47.

# FIELD EXPERIMENTS IN SOCIOLOGY

## AN EVALUATION OF SOME RECENT STUDIES AND SUGGESTIONS FOR MORE VALID AND RELIABLE DESIGNS

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### I SOME FIELD EXPERIMENTS IN SOCIOLOGY

F. Stuart Chapin and some of his students at the University of Minnesota carried out a series of research studies during the period 1938-1942 which have received considerable attention as examples of the application of experimental methods in sociological research. These studies were designed to test hypotheses concerning the effects of certain social institutions on measures of the behavior or adjustment of individuals under conditions that could not be brought into a laboratory, such as (1) "A greater degree of progress in high school leads to a correspondingly higher degree of economic adjustment in the community"<sup>1</sup>, (2) "Membership in the Boy Scouts results in improvement in morale, general adjustment, and social participation"<sup>2</sup>, (3) "W.P.A. work relief would maintain or increase morale and other measures of personal social adjustment to a greater degree than would direct relief"<sup>3</sup>.

Some persons would rule out the use of the term *experiment* to describe such studies, particularly because of the absence of the type of procedures and conditions found in laboratory experiments. In the present paper, however, the term *experiment* is used to refer to any research designed to test some hypothesis by the results of observation carried out under conditions selected or controlled to correspond to the conditions defined in the hypothesis. The term *field experiment* will be used to refer to experiments outside a laboratory situation. The studies carried out by Chapin and his students are a special type of "Field Experiment" called "ex post facto" experiments by Chapin because they depend largely on the use of records of conditions observed before the experiment itself was designed. In contrast, field experiments which depend largely on the use of records of conditions observed after the experiment is designed have been termed "projected experiments".

Chapin in an evaluation of these "ex post facto" experiments has stated the opinion that "this pattern of procedure supplies the outlines of a long desired design for social experiments"<sup>4</sup>. This evaluation has been reexamined by Ernest Greenwood in his recently published book on *Experimental So-*

<sup>1</sup> F. Stuart Chapin, "Design for Social Experiments," *American Sociological Review* III (1938), 789.

<sup>2</sup> *Ibid.*, p. 796.

<sup>3</sup> F. S. Chapin and J. A. Jahn, "The Advantages of Work Relief over Direct Relief in Maintaining Morale in St. Paul in 1939," *American Journal of Sociology*, XLVI (July, 1940), 14, 22.

<sup>4</sup> Chapin, "Design for Social Experiments," p. 786.

ciology After a review of the literature on theories and methods of experimentation in sociology and related fields, Greenwood came to the following conclusion In reply to the question "Can a sociological experiment with a valid design, which requires the use of randomization and other methods of controlling conditions involved, be carried out as planned when the conditions involve persons, groups, and institutions?" Greenwood stated Very rarely, if ever, hence the frequent use of the ex post facto experimental design is recommended as a valid substitute What if ex post facto results do not possess the validity of projected experimental results? Then as compensation, Chapin's recommendation may be followed He says that the cumulative findings of several ex post facto experiments may prove to be as useful as those of one or two projected experiments employing ideal methods<sup>5</sup>

Elsewhere Greenwood states

Under ideal conditions the ex post facto experiment yields results as valid as the projected type Actually this almost never happens Therefore ex post facto results must be so presented that one has an exact idea precisely from what basis they are derived<sup>6</sup>

The question to which Greenwood has replied is one that was stated in the conclusion of an ex post facto experiment carried out at the University of Minnesota on "The Effects of W P A as Compared to Direct Relief on the Morale and Personal-Social Adjustment of Clients"<sup>7</sup> This study demonstrated certain limitations in ex post facto experiments and the need for developing and using designs and methods which would be more valid and reliable

Louis Guttman in a recent review of Greenwood's book has also questioned the validity of ex post facto experiments as tests of the type of hypotheses to which they have been applied He has also pointed out, however, that they may be used as a basis for making useful statistical predictions without attempting to get at "cause and effect" relationships<sup>8</sup>

The purpose of the following paper is to present briefly some of the uses and limitations of ex post facto experiments in the light of experience with such studies at the University of Minnesota and to suggest some additional designs and methods which may be more valid and reliable Recognition of the limitations of ex post facto methods does not imply that such

<sup>5</sup> Ernest Greenwood, *Experimental Sociology* (New York King Crown Press, 1945), p 134

<sup>6</sup> *Ibid* p 145

<sup>7</sup> J A Jahn, *A Control Group Experiment on the Effects of W P A Work Relief as Compared to Direct Relief on the Personal Social Morale and Adjustment of Clients in St Paul 1939* (M A thesis, University of Minnesota, 1942), pp 171 72

<sup>8</sup> Louis Guttman, 'Book Reviews,' *American Statistical Journal*, XL (1945), 390 91

experiments should not be used. Instead, it will be indicated that for certain types of problems, the ex post facto type of experiment may be sufficiently valid and reliable but that for certain other types of problems there are alternative designs and methods which need to be considered, used, and compared, in order to demonstrate which are most valid and reliable for the particular problems to which they are to be applied.

## II AN EVALUATION OF EX POST FACTO EXPERIMENTS

Ex post facto experiments are methodologically a special form of partial correlation analysis. Partial correlation analysis involves the statistical analysis of recorded data in order to measure the relationship between an independent and a dependent variable while eliminating or reducing the influence of a certain number of other independent variables. For problems in which all the variables are quantitatively defined or measured, the statistical theory and methods of partial correlation are already well known.<sup>9</sup> For problems in which all the variables are qualitatively defined or classified, the statistical theory and method of partial association has been thoroughly and systematically developed by Yule.<sup>10</sup> For problems in which the dependent variable is quantitative and the independent variables are qualitative the ex post facto design provides an appropriate method of analysis.

The procedure usually followed in ex post facto experiments to reduce the influence of a number of variables has been to select two samples of individuals differing with respect to one independent variable, and then to eliminate individuals until the frequency distribution for each of the independent variables to be held constant is the same in the two samples. This procedure, however, involves a change in the condition of random sampling that does not correspond to the conditions specified by any known statistical principle and method for testing hypotheses.<sup>11</sup> Consequently, the validity or reliability of inference from such samples can at best be indeterminate.

Another procedure, used in the studies of the W P A work relief program and the public rehousing project, was, first, to select two random samples differing with respect to one independent variable (for example, being on W P A or direct relief), second, to sub classify the individuals in each sample into sub groups according to sub categories of all of the independent variables to be held constant, and, third, to compare the corresponding

<sup>9</sup> Mordecai Ezekiel *Methods of Correlation Analysis* (New York, 1930) 178 87

<sup>10</sup> G Udny Yule *Introduction to the Theory of Statistics* 12 ed (London, 1940), pp 50 65

<sup>11</sup> *Ibid* pp 332 462 also Guttman, *op cit* p 391

sub-groups of the two samples (that is, the sub groups which were in the same sub-class with respect to the variables to be held constant) This procedure of matching sub groups was adapted from principles and methods described by Yule for the analysis of "partial associations" for qualitative variables<sup>12</sup> This procedure takes into account the intercorrelations of the independent variables, which is not done by the procedure of equalizing the frequency distributions Furthermore, it involves conditions of random sampling for which statistical principles and methods for testing hypotheses have been developed by Guttman and others<sup>13</sup>

As a form of partial correlation analysis, ex post facto experiments have two distinct uses One is as an approximation toward a more valid field experiment to test hypotheses concerning results predicted from changing certain conditions while holding constant or eliminating the effect of changes in all other possible conditions (This is sometimes referred to as 'cause and effect' relationship) The other use is as a basis for making statistical predictions about certain quantitative dependent variables from knowledge of certain qualitative independent variables

As an approximation toward a more valid field experiment, an ex post facto experiment can be designed and carried out to provide an empirical basis for deriving and pre testing certain methods, instruments, and hypotheses before attempting experiments requiring greater expenditure of time and resources<sup>14</sup> And once such preliminary steps are undertaken, persons will probably be more willing and able to undertake and carry out more valid and reliable field experiments

The limitations inherent in ex post facto methods must, however, also be recognized The principal one is that only a limited number of independent variables can be held constant by partial correlation methods, and these only within certain limits<sup>15</sup> Consequently, it is never possible to demonstrate by ex post facto experiments alone what might be the result if "all other factors are held constant," no matter how many times they may be repeated<sup>16</sup> Also the attempt to control many different variables by matched sub group methods leads to a number of difficulties The statisti-

<sup>12</sup> Yule, *ibid* pp 65 81 cf also Greenwood, *op cit* pp 115 22

<sup>13</sup> Louis Guttman, *On Uses of the Critical Ratio* (M A thesis, University of Minnesota, 1939) Cf also Jahn, *op cit* pp 188 208 R A Fisher, *Statistical Methods for Research Workers* (Edinburgh Oliver and Boyd 1941) and Palmer Johnson and J Neyman, *Tests of Certain Linear Hypotheses and Their Application to Some Educational Problems*, *Statistical Research Memoirs* I (1936), 57 93

<sup>14</sup> Jahn, *op cit*, pp 20 38 162 66

<sup>15</sup> Jahn, *op cit* pp 38 52, 220 23 Cf also Yule, *op cit* pp 65 81, and Guttman, *op cit* pp 16 24

<sup>16</sup> R A Fisher, *Design of Experiments* (Edinburgh, 1937), pp 46 50

cal formulas and methods become increasingly complex and laborious And, unless very large samples are used, there will be a heavy loss of cases, so that too few will be left for reliable statistical estimation<sup>17</sup>

As a basis for making or testing statistical predictions, ex post facto experiments may be used with complete validity As yet, however, ex post facto studies have been concluded with the computation of statistical tests of significance, such as "critical ratios," which may demonstrate the existence of an association but do not measure the degree of correlation Moreover, the critical-ratio formulas conventionally used in ex post facto experiments do not take into account the effect of holding certain variables constant<sup>18</sup>

For predictive purposes, the multiple correlations are more important than the partial correlations, but so far the results of ex post facto experiments have not been analyzed to determine the multiple correlations between the dependent variable and the independent variables

Furthermore, prediction tables would have to be set up which would require much larger samples than have been used in ex post facto experiments Such prediction tables involve the computation of means and standard deviations for the dependent variables within sub-classes formed by combinations of the sub-categories of the various independent variables<sup>19</sup> Except in the study of the W P A work relief program and a public rehousing program, this type of analysis has not been carried out

### III SUGGESTIONS FOR MORE VALID AND RELIABLE DESIGNS

Appropriate statistical principles and methods have been developed and formulated by Louis Guttman and others<sup>20</sup> for problems of predicting a quantitative variable from one or more qualitative variables Although these principles and methods are not as familiar as the conventionally used linear regression methods, they are just as easy to learn and apply, and their use may result in more accurate prediction

For problems involving tests of hypotheses about the results of certain controlled conditions independent of all other conditions, R. A. Fisher and others<sup>21</sup> have developed designs and methods more valid and reliable than

<sup>17</sup> Jahn, op cit pp 58 64, 69, 206 07

<sup>18</sup> Guttman, *On Uses of the Critical Ratio*, pp 16 17, 19 20

<sup>19</sup> Louis Guttman, "The Qualitative Prediction of a Quantitative Variate," in Paul Horst (ed.), *The Prediction of Personal Adjustment*, SSRC, Bulletin No 48, pp 264 70

<sup>20</sup> Ibid 266 68 Cf also Ezekiel, op cit pp 152 58

<sup>21</sup> Fisher, *Design of Experiments* pp 46 50 Cf also G. W. Snedecor, *Statistical Methods* (Ames, Iowa, 1946), E F Lindquist, *Statistical Analysis in Educational Research* (Boston, 1940)

those of ex post facto experiments. The essential element of such field experiments is the use of "randomization" to eliminate or hold constant the effect of conditions other than those directly controlled or held constant by partial correlation. The use of randomization is the physical operation that justifies the use of statistical methods to test and possibly reject hypotheses about the effects of certain controlled conditions independently of all other conditions.<sup>22</sup> The use of statistical methods of partial correlation, in addition to randomization, may result in increasing the reliability and sensitivity of the experiment.<sup>23</sup>

As an illustration of the principle of randomization, consider how it might have been applied in a study of the effects of the W P A program. First, in the assignment of persons to W P A projects, whenever a number of individuals would be found to be equally qualified for the same assignment according to certain defined qualifications, some would be assigned and some not assigned by use of a method of random sampling. Second, after a period of time, individuals included in these samples could be measured with respect to morale or employability. Third, if the mean scores of individuals assigned to W P A were found to be higher than those of individuals not assigned but equally qualified for assignment, and if the null hypothesis that these differences are due to random sampling has been rejected, then the hypothesis that the assignment of persons to W P A results in an increase in morale or employability can be accepted as having been verified by the experiment.

It cannot be assumed that, because a hypothesis has been accepted or rejected, on the basis of one or a few experiments, identical conclusions would be made on the basis of further experiments all equally valid in design. If, however, a valid design of experiment has been carried out, the probability of random errors in conclusions can be statistically estimated and limited to as small a value as may be specified.<sup>24</sup> Such statistical principles and methods, more valid and reliable for matched samples and relatively small numbers of cases than are conventionally used critical-ratio formulas, have been developed by Fisher, Guttman, and others.<sup>25</sup>

In addition, the validity and reliability of field experiments can be increased by developing more valid and reliable instruments of observation and by recording of data. Guttman has developed statistical theories and

<sup>22</sup> Fisher, *Design of Experiments*, pp. 20-22.

<sup>23</sup> *Ibid.*, pp. 26-27, 55-78. Cf. also Guttman, *On Uses of the Critical Ratio*, pp. 16-24.

<sup>24</sup> Fisher, *Design of Experiments*, pp. 14-22.

<sup>25</sup> Fisher, *Statistical Methods*. Cf. also Guttman, "Qualitative Prediction," pp. 16-24, and Johnson and Neyman, *loc. cit.*

methods which can be applied to determine the reliability of qualitative as well as quantitative variables<sup>26</sup> He has also developed a statistical theory and method of "Scale Analysis" which can be used to derive and test the validity of scale scores measuring the responses or characteristics of a certain population of individuals on a certain universe of attributes. The use of "Scale Analysis" will probably lead to much more valid "sociometric scales" than has been possible by the use of "weighting by judges," "arbitrary scoring," or "item analysis." Furthermore, these principles and methods are so easily applied that there is no longer need to construct scales and then to assume their validity for different purposes and populations<sup>27</sup>

Now returning to the question, "Can a sociological experiment with a valid design, which requires the use of randomization and other methods of controlling conditions involved, be carried out as planned when the conditions involve persons, groups, and institutions?" I cannot point at the present time to any completed or published example of such an experiment. It no longer seems necessary, however, to assume that designs incorporating randomization cannot be carried out as readily as *ex post facto* designs. Randomization as a method of experimental control is no more difficult to apply than is random sampling in public opinion polls, sample censuses, or other sample social surveys carried out in recent years<sup>28</sup>

Nevertheless, a valid and reliable field experiment requires more than the acceptance and use of certain experimental and statistical theories and methods. In addition, there is required a research organization with sufficient personnel, equipment, and resources. Universities could be the centers for the development of such sociological research organizations along the lines of the previous development of agricultural experiment stations. The development of such research organizations, therefore, should be considered and undertaken as a necessary condition for the development of more valid and reliable sociological field experiments.

<sup>26</sup> Louis Guttman, "Test-Retest Reliability of Qualitative Data," *Psychometrika* XI (1946), 81-95, and "A Basis for Analyzing Test-Retest Reliability," *Psychometrika* X (1945), 295-82.

<sup>27</sup> Louis Guttman, "A Basis for Scaling Qualitative Data," *American Sociological Review* IX (1944), 139-50. Cf. also his book *Attitude and Public Opinion Analysis* to be published this year.

<sup>28</sup> Philip M. Hauser and Morris H. Hansen, *Sample Surveys in Census Work*, Bureau of Census, 1944.

# PREDICTING SUCCESS OR FAILURE IN MARRIAGE A COMPARISON OF A DIVORCED AND A "HAPPILY MARRIED" GROUP

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Efforts to predict the factors involved in marital adjustment or mal adjustment scientifically are of recent origin. The two major studies—that of Burgess and Cottrell<sup>1</sup> and of Terman and his associates<sup>2</sup>—were published less than a decade ago. The purpose of the present study is to add to the knowledge already available in this area of behavior by comparing a divorced and a happily married group.

The study has two somewhat unique features which differentiate it from other marital prediction studies. Previous studies, for the most part, have merely taken a married sample and divided it into two groups—those adjusted and those unadjusted. The present study is a comparison of marriages ending in divorce with those which outsiders judged to be the happiest unions known to them. In the second place, the subjects of previous studies have been from a highly selected segment of the population, whereas the subjects of the present study are fairly representative of the general population. The best index of the representative character of the present study's subjects is the similarity of the educational level of the subjects with that of the general population. Compared with the 1940 median grade of 8.6 for the United States and 8.7 for Indiana, the median is 8.9 grades for the divorced sample and 9.5 for the happily married.

The divorced sample was secured by getting from the courthouse files of Monroe County, Indiana, the names of all couples divorced in the years immediately preceding the time of interviewing and as many persons of the group as possible were interviewed. This sample included 201 persons with their respective mates, plus 123 persons where only one side of the case was secured. Each individual included in the happily married sample is a person judged by some relative, friend, or acquaintance as one of the most happily married known by the person doing the recommending. It includes 200 persons with their respective mates, plus four cases where only one spouse was secured. Thus the total persons interviewed were 929.

<sup>1</sup> Ernest W. Burgess and Leonard S. Cottrell, *Predicting Success or Failure in Marriage* (New York: Prentice Hall, 1939).

<sup>2</sup> Lewis M. Terman et al., *Psychological Factors in Mental Happiness* (New York: McGraw Hill, 1938).

In another place<sup>3</sup> the writer has presented a detailed analysis of the degree of marital adjustment of the divorced and the happily married. On the basis of that analysis the conclusion seems warranted that divorce and happy marriage, as judged by an outsider, do correlate closely with marital maladjustment and adjustment.

Prediction involved the combination and weighing of items into a prediction scale. To date, only a few predictive items have been analyzed and certain of these will be discussed separately. In the article referred to above, the writer reported on the relationship between marital adjustment and happiness of parents' marriage, conventionality, as measured by being married at home, at church, or at a minister's home, affiliation with a church, going to Sunday school and frequency of attendance at church, and length of acquaintance. In this paper two additional items will be considered—length of engagement and sociability, the latter as measured by the number of a person's friends.

*Length of Engagement.* Our findings strongly support the conclusions of other studies that the duration of engagement is positively associated with probabilities of good marital adjustment.<sup>4</sup> It was also discovered that the length of engagement of divorced subjects varies with three different groups in the divorced sample: (1) Where the reason for marrying was pregnancy, the average length of engagement of forty-one divorced marriages was 27 months; (2) Where there had been a marriage prior to the one being investigated, the average length of engagement for happily married and divorced couples was, respectively, 44 and 40 months; (3) Where the marriage under investigation was the only marriage and had not been due to pregnancy, the length of engagement, as indicated below, was significantly different between the divorced and happily married.

Table 1 gives the percentage of divorced and happily married men, women, and men and women combined for different lengths of engagement, and critical ratios of the difference between percentages. It shows that, for the group married only once, the length of engagement is closely associated with marital adjustment.

<sup>3</sup> "Predicting Marital Adjustment by Comparing a Divorced and Happily Married Group," *American Sociological Review* XII (1947), 187-91.

<sup>4</sup> Burgess and Cottrell, *op. cit.* pp. 167-68. Terman et al., *op. cit.* pp. 198-200.

TABLE 1

Percentages of Happily Married, Married Only Once, and Divorced Only Once and Not Forced to Marry, for Given Length of Engagement, for Men, Women, and Men and Women Combined

Months	Per Cent Men			Per cent Woman			Per Cent Men Plus Women		
	Divorced N—187	Married N—174	Crit ical Ratio	Divorced N—185	Married N—176	Crit ical Ratio	Divorced N—853	Married N—850	Crit ical Ratio
3 and less	52.1	35.7	3.07	53.5	30.7	4.38	52.8	33.1	5.27
4 6	20.3	22.4	.47	20.0	19.9	.00	20.2	21.2	.00
7 12	16.2	23.0	1.58	15.1	23.8	2.09	15.6	23.4	2.61
13 24	6.6	10.9	1.40	6.0	14.8	2.76	6.3	12.9	2.99
25 36	1.8	4.0	1.21	2.2	2.3	.01	2.0	3.1	.92
Over 36	3.0	4.0	.50	3.2	8.5	2.15	3.1	6.3	2.00
Over 12	11.4	18.9	1.92	11.4	25.5	3.47	11.4	22.3	3.87
Over 6	27.6	41.9	2.77	26.5	49.4	4.49	26.9	45.7	5.15

Length of engagement is more significant in the marital adjustment of women than of men. For both, an engagement of three months or less is unquestionably unfavorable, but is more unfavorable for women than for men, the respective critical ratios of the difference between the divorced and happily married being 3.07 and 4.38. If cases are combined into the time category of "over a year," an engagement of this length for women is definitely favorable, but is only slightly favorable for men. An engagement of "over six months" is unquestionably favorable for the marital adjustment of women and is quite favorable for men.

Happily married men had an average engagement of 10.6 months as compared with 7.4 months for divorced men, or a 43.2 per cent longer engagement. Happily married women had an average engagement of 12.7 months as compared with 7.2 for divorced women, or a 75.4 per cent longer engagement.

It is found that, when men and women are combined into a single group, an engagement of three months or less is very unfavorable, over six months and up to and including 12 months is fairly favorable, and "over a year" unquestionably favorable to marital adjustment. The average length of engagement of the happily married was 11.7 months, as compared with 7.3 for the divorced, or a 60.3 per cent longer engagement for the happily married.

Several hypotheses have been presented as possible explanations of the high relationship between long engagements and marital adjustment. "Companionship tested by time appears, therefore, to be a better basis for successful marriage than the emotional feeling of certainty inspired by short-lived romantic love."<sup>5</sup> Additional hypotheses are that intimate association leads

<sup>5</sup> Burgess and Cottrell, *op. cit.* p. 168

to accommodation prior to marriage and, thus, takes some of the strain off of the marriage relations, and it screens out some of the possible marriage failures through broken engagements.

**Sociability** Is sociability a positive factor in marital adjustment and its absence associated with marital maladjustment? Table 2 gives the critical ratios of the difference between the percentage of the happily married and of the percentage of the divorced who had "almost no," "a few," "several," or "many" friends. This is given for before marriage, after marriage, and friends in common during marriage. Each person was asked to indicate the number of his friends and the number of his mate's friends. In columns 1 and 2—almost none and a few—the percentage of the divorced is always higher than the percentage of the happily married. In columns 3, 4, and 5—several, many, and several and many combined—the percentage of the happily married is higher than the percentage of the divorced, except where a minus appears before the critical ratio.

The table shows that, on the whole, the divorced had almost no or a few friends more frequently than did the happily married and that the happily married had several or many friends more frequently than did the divorced.

TABLE 2

Critical Ratios of the Differences between Percentages of Happily Married and Percentages of Divorced Who Had Almost No, a Few, ' Several, and 'Many' Friends of the Same and of Opposite Sex Before Marriage, during Marriage, and in Common for Men and for Women

Judgment on the Number of Friends	Almost None	A Few	Critical Ratio Several	Many	Several and Many Combined
<b>I Before Marriage</b>					
<i>Wife's Women Friends</i>					
1 Judged by Self	79	1 81	1 09	60	2 04
2 Judged by Mate	1 38	2 88	1 06	1 42	3 19
<i>Wife's Men Friends</i>					
1 Judged by Self	1 10	23	1 92	62	2 31
2 Judged by Mate	1 72	1 22	1 31	93	2 06
<i>Husband's Men Friends</i>					
1 Judged by Self	87	91	29	— 68	— 56
2 Judged by Mate	58	13	— 44	82	51
<i>Husband's Women Friends</i>					
1 Judged by Self	1 50	37	2 00	— 86	1 12
2 Judged by Mate	27	1 28	3 33	— 2 64	1 09
<b>II After Marriage</b>					
<i>Wife's Women Friends</i>					
1 Judged by Self	1 73	2 28	2 65	67	4 00
2 Judged by Mate	1 40	2 97	72	2 88	4 38
<i>Wife's Men Friends</i>					
1 Judged by Self	1 72	.07	2 77	2 14	4 19
2 Judged by Mate	2 06	1 25	85	1 86	2 49

<i>Husband's Men Friends</i>					
1 Judged by Self	2 43	1 33	1 36	.30	2 15
2 Judged by Mate	2 52	2 72	1 28	1 50	3 70
<i>Husband's Women Friends</i>					
1 Judged by Self	2 11	.77	2 02	.27	2 13
2 Judged by Mate	82	86	96	51	1 36
<i>III Friends in Common</i>					
1 Judged by Husband	2 78	2 46	1 06	2 04	3 57
2 Judged by Wife	4 82	2 29	1 26	2 93	4 42

A sociable woman *before marriage* is a good marital risk. If a woman says she had either several or many women and men friends, it is favorable, but, if she says she had almost no men friends, it is very unfavorable to marital adjustment. The judgment of the husband on the sociability of his wife before marriage is even more significant than that of his wife.

Sociability of a husband is not as essential to marital adjustment as is sociability of a wife.<sup>6</sup> The number of a man's men friends, on the basis of either his or his wife's judgment, is not at all related to marital adjustment. However, if a wife says her husband had "several" women friends before marriage, it is very favorable for marital adjustment, but, if she indicates that he had "many," it is an unfavorable factor. This may mean that wives differentiate between sociability and promiscuity, identifying several women friends before marriage with sociability and many with promiscuity.

The number of friends *after marriage* is even more highly associated with marital adjustment than the number before marriage. Wives who rank near the bottom of the sociability scale, as measured by their having almost no women friends, are likely to be in the divorced rather than in the happily married group. Likewise, the judgment of the husband that his wife has almost no women friends is positively related to marital maladjustment.

How about male friends of wife and marital adjustment? "Almost no male friends" is decidedly unfavorable to the perpetuation of the marriage, if it is the judgment of the wife, and is somewhat unfavorable when given by the husband. Women who say they have either several or many male friends are very likely to have their marriages perpetuated. A similar judgment by the husband is a fair index of marital adjustment.

The number of friends of the husband after marriage is not as closely correlated with marital adjustment as is the number of friends of the wife. In only one instance is the critical ratio above 3, and that is the judgment of the wife that her husband had either several or many men friends. In the matter of women friends, the husband with several has the best and with almost none the poorest chances for a successful marriage.

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\*A marital prediction item may be more significant for one spouse than for the other, for spouses are not equally adjusted in a marriage. Likewise, one prediction item may have either greater or less weight for one spouse than for the other.

Finally, the number of friends a husband and wife have in common is highly associated with marital adjustment, particularly for women. A wife who has almost no friends in common with her husband is very likely to have her marriage maladjusted, and, if she has only a few there is a fair probability that her marriage will be maladjusted. There is also a fair probability that the marriage will be maladjusted if the husband has almost no or a few friends in common with his wife.

A wife who says she has either several or many friends in common with her husband appears to place a high value on sociability, and this is unquestionably related to marital adjustment. Likewise, there is no question but that a sociable man, as measured by having either several or many friends in common with his wife, is likely to have his marriage perpetuated.

Thus, from the data on divorced and happily married persons analyzed to date, we would conclude that marital adjustment will be highly correlated with a prediction scale based on such things as the following: parents' marriage happy or very happy, affiliation with a church, attendance at church four or more times a month, going to Sunday school through the ages of 10-14, a period of acquaintance of three years or over, an engagement of over a year, and either several or many friends before, after, and in common during marriage. These predictive items apply to the population from which the samples were drawn.

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Entered as second-class matter December 26, 1936, at the post office at Pullman, Washington, under Act of August 24, 1912

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# RESEARCH STUDIES of the STATE COLLEGE OF WASHINGTON

Volume XV

September, 1947

Number 3

## PURE PAINTING

WORTH D. GRIFFIN  
*Professor of Fine Arts*

### WHAT IT IS

As we become more and more interested in design as shown in objects produced for other reasons than the reasons of design, we begin to think of the possibility of an art of Pure Design and a profession of Pure Design. Why not? Lines and spots of paint can be arranged in forms of order just as we arrange sounds in music, for no other reason than to express the love of order and the sense of beauty.<sup>1</sup>

Denman Ross anticipated the coming of a pure type of painting, because he observed that expressiveness, visual interest (and perhaps beauty) inhere in the structural forms of art and in the elements which make up the forms. Plato observed the same truth centuries before He was led to suggest that the equilateral triangle is the most beautiful of forms, because it expresses the idea of unity in variety. Expression in art does not demand literal representation, but rather implication through the means of the symbol. The symbol needs to be no more than the medium and the formal elements shaped and controlled in unity.

Specifically, a pure type of painting is one in which only medium, materials, and the formal elements—lines, spaces, forms, textures, colors, and values—are used for the purpose of expression. A type of art utilizing only these things may be said to be pure because it is stripped of conventions accumulated over a period of many centuries. It is relieved of objective subject matter which has characterized most occidental art, and which identifies occidental art as illustration rather than a high form of art expression. Objective subject matter content has been the chief non-essential (impure) ingredient in art. It has kept the aesthetic level of painting on a low plane and controlled the art to the extent that expressive growth has been almost impossible.

<sup>1</sup> Denman W. Ross, Ph. D., *On Drawing and Painting* (Boston: Houghton, Mifflin Co., 1912), p. 81.

Pure painting (in contrast with interpretive painting) issues from inventive thought and experimental activity. It originates in the creative mind, which is also the source of music in its highest form. When inventive thought and experimental activity are brought to bear on medium and means, and the laws which govern the art are permitted to operate, a pure type of art appears which expresses the complex mind of man in its searching for universal relationships and order. A pure art results which is entirely the product of imagination and inventive genius and for this reason is completely expressive of intelligent man, his imagination, his sensitivity, and his aesthetic experiences. This expressiveness is possible without the use of objects found in the objective world because organized formal elements, such as lines, forms, and colors, are in themselves symbols of all that exists.

When the basic art elements—lines, spaces, forms, textures, colors, and values—are used in a pure state and have no obvious representative significance, they may be freely moulded and expressively manipulated. They cease to be controlled by what they surround, or cover, or depict, and become unlimited means for expression. For example, a line that follows the contour of the human body is limited by the shape of the human body. It can express nothing but the form which it encloses. Its plasticity is reduced to bounds fixed by the subject matter, and it may not be dealt with as a plastic element which has potential expressive powers of its own. But when a line is freed from the duty of representation it assumes character and is no longer merely an edge between representative forms. It is an expressive visual object which may suggest a wide range of ideas. It escapes the confines of represented visual data.

A pure type of art is distinguished from the many types of representative or abstract art by characteristics which are both visual and aesthetic. The visual characteristics grow out of the theory that natural, or man-made structures associated with nature, need not be considered essential to pictorial art even as a point of departure. The plastic formal elements, when not used with reference to objective realities, become visual phenomena. They are created (concrete) visual realities which have qualities and attributes made possible by the imagination of the artist and the medium used in their construction. Color, as an example, is permitted

to express its inherent beauty and dynamics, and its three-dimensional character (hue, value, and intensity) to best advantage Used in this way color is not something that is applied to forms and shapes, but is something in itself, and is capable of arousing broader and more profound feeling and meaning than could be accomplished through literal transcription

John Dewey, in "Experience, Nature and Art" (1925), sensed the value in the formal elements of various arts as means of expression through which vital new visual and emotional experiences may be attained, although he does not seem to have understood the full potentiality of these means in the art of painting

Tendency to composition in terms of the formal characters marks much contemporary art, in poetry, painting, music, even sculpture and architecture

At their best they assist in ushering in new modes of art and by education of the organs of perception in new modes of consummatory objects, they enlarge and enrich the world of human vision<sup>1</sup>

Dewey was also aware of the tendency, apparent at the time, toward creative experimentalism which must precede the realization of new art modes

In addition to this type—and frequently mingled with it—there is experimentation in new modes of craftsmanship, cases where the seemingly bizarre and over-individualistic character of the products is due to discontent with existing technique, and is associated with an attempt to find new modes of language Some movement in this direction has always been a condition of growth of new forms, a condition of salvation from that mortal arrest and decay called academic art<sup>2</sup>

The laws or principles (balance, continuity, emphasis, etc.) used by artists in the construction of elements into organic pictorial units may be more intelligently set into operation in a pure type of art Logical planning and arranging are possible because of greater freedom in the manipulation of the elements The artist is able to compose through the use of the laws without the restrictions of natural appearances continually forcing concessions He is able to give the laws and principles an understandable and obvious function and to interpret them in a manner suitable to his problem He may emphasize a principle, such as rhythm, in one problem, and condition all elements to express this idea In another

<sup>1</sup> John Dewey, "Experience, Nature and Art," *Modern Book of Esthetics*, ed Melvin Rader (New York Henry Holt and Co., 1935), p 466

<sup>2</sup> John Dewey, *op cit*, p 455

problem he may emphasize three-dimensional color movement and mould all forms and colors to best express this purpose

In creating a pure type of art, the artist is completely the master of his means He can manage the plastic elements and the principles by which they are organized so that the final objective is never in doubt He can set his problem, knowing all things may be bent to his will, and that nothing will be left unresolved If logical and significant expression is the motive behind the effort, there are no restraining factors except the limitations he sets in advance and to which he must carefully conform

In representative art the artist does not enjoy similar freedom When he attempts to apply the laws and principles in this type of work, he is always confronted with problems which can never be more than partially solved Nature defeats him by forcing compromises He is never more than half an artist, nature is the other half If he wishes to express the simple law of rhythm, he must do it through the use of objects that defy his control If he wants unity and order, he must impose organization on nature through distortion and conditioning which transform nature into something other than what it is

The artist's energy is consumed in forcing reluctant forms into new moulds when he produces a representative type of art, and his essential creative purpose is lost in the process The aesthetic aspects of his art are destroyed by illusional effects, visual deception, and sentimentality But in a pure type of expression the aesthetic motive or purpose is not overlaid with irrelevant ideas, and a greater degree of aesthetic success may be realized because of the clarity of the means and the absence of clutter on the surface The aesthetic purpose is never out of sight, it maintains a dominant position in the artist's thinking and helps him steer his course It is the *raison d'être* for all his concern and activity

Each element is conceded its distinctive qualities in pure painting Lines may carry feelings and ideas which are never associated with color Textures have exceptional features which give them special duties in conveying feeling and meaning Forms express measure, volume, actuality, and all things associated with these ideas Each element has its well-defined province of visual and emotional effectiveness (its aesthetic field), but there are many over-

lappings and interlacings of functions which necessitate logical arrangement to secure orchestration and proper emphasis

All climactic expression through the device of creative art is the product of emphasis. In the creation of pure art, the artist chooses the element or elements (forms or colors, etc.) which he believes will best convey the perceptual experience he wishes to provide, and gives them importance in a harmonious and plastically rich structure. The emphasis is attained usually through subordination of size, or isolation in position, or contrast of color or value. The forms, shapes, colors, etc., are conceived as visual realities, but they have no resemblance to objects found in nature or those associated with nature. In this way, a new and exciting visual experience is contributed, the expressive elements are unrestricted and in no way impair the facility of imagination or of perception.

As the artist deals only with medium and means in pure painting, his chief concern is with the fusion of the elements into organic structures that reveal unity and singleness of aesthetic purpose. The elements must be measured and given proportion to the end that order, system, and focus are achieved. Medium plays a strong part in the unifying process, it is the matrix which contains the whole. In pure painting the medium is merged with the elements so that medium becomes an integral part of the total expressive means.

Pure painting expresses emotions, feelings, ideas, etc., to the observer through suggestion, association, and intimation. The suggestive power of the formal elements in their pure state is unlimited. To understand this fact, it is only necessary to consider what may be suggested by a single color, such as red. When seen, red becomes a symbol of all past experiences associated with the color. It is a rose, a maiden's lips, the blood of a soldier, the good earth, a beefsteak, an ambitious man, a healthy child, a ripe peach, a beloved mother's scarf, a hopeful future, or a disastrous past. Thus, red, as a single idea, sets into motion processes of association which connect all experiences of an individual in which the color has played a part.

The expression of emotions through suggestion may be considered pure art expression in contrast with old art forms in which a limited expression was accomplished by illustration. In expression by illustration, an emotion is graphically portrayed in the

hope that it will arouse a similar feeling in the observer; e.g., fear is depicted by showing people running away from something, or sorrow is depicted by a weeping woman. But the depiction of an emotion or idea should no longer be mistaken for the expression of an emotion or idea. The depiction is rather an interpretation of these things. The grieving woman is an interpretation of how people look when they feel the emotion of sorrow, but she does not express sorrow directly. At best, she is an ineffective interpretation, and may represent prostration instead of sorrow, or she may arouse a feeling of aversion in the observer.

From this point of view, all representative art should be classified as interpretative rather than expressive art. The interpretation of objective appearances is the chief purpose of all such art, and expression is only incidental, if it occurs at all. In contrast to the ineffectiveness of representative art, we have in pure painting a truly expressive art for the first time in history. Pure painting gives us a new aesthetic which is based upon the expressiveness of the formal elements and a medium divorced from realism, and relying upon the deliberate creative genius of the artist.

Pure painting is a new idiomatic language designed to give aesthetic pleasure, and it has a far greater universal potentiality than most languages. Its means (color, form, line, etc.) are symbols already understood to some extent by everyone. The symbols have, however, a wide range of meaning which becomes more evident through visual contact and intuition. Some communication and enjoyment will be spontaneous at all stages and levels of intellectual development, but the fullest aesthetic satisfaction will occur where there has been some training in understanding the art. To be excellent, art can not at the same time be too obvious or easy. A complex art must stimulate the imagination, arouse curiosity, excite wonder, and suggest the mysterious and the unusual. It has been said that the only simple art is inferior art.

### A NEW SYMBOLISM

The use of the formal elements as expressive means unencumbered by representative functions, such as illustrating sentimental ideas or duplicating surface appearances, constitutes a new symbolism in the art of painting.\* This new symbolism opens up extensive vistas

\* New symbolism—new in the sense that the practice has gained most of its following during the last fifteen years.

for an art that long has been little more than a replica (with variations) of objective nature It injects new lifeblood into painting which, in its old form, has outlived its vitality and usefulness It opens the way for expansion in new directions and invites exploration in a search for a new and effective expressiveness

The new symbolism is made possible because the formal elements have great expressive potentialities when permitted to function in a pure state They have (1) inherent meaning, and (2) unlimited meaning that may be associated with them Their inherent meaning is clothed in their character, function, dynamics, position, contrasting qualities, and relationship to other elements Their associated meaning is made up of every idea that an observer, through the use of his imagination, can read into them In a pure condition the elements are created things (objects) which have form and individuality and are capable of stimulating emotional reaction through association and feeling, but not through recognition They provide a new sensuous and intellectual enjoyment through a stimulating visual experience

The new symbolism in painting means simply the expression of ideas, emotions, or qualities by means of the formal elements which became symbols of meaning when used pictorially Elisabeth Schneider defines the word symbol in her book *Aesthetic Motive* in a way that fully meets the meaning of the word as used here

A symbol means merely anything which through association comes to suggest something other than itself so strongly that the suggested object rivals or overshadows in importance or vividness, but without obliterating from consciousness, the original object which is the symbol The symbol and its meaning thus become fused in the imagination of the beholder<sup>6</sup>

All of the formal elements are cogent symbols with unlimited connotations Three simple spots of color on a canvas may symbolize three individuals, three conflicting ideas, three movements, three lovers, or three of anything, and become united in the imagination with these things without any aid except what lies in the essence or suggested power of the symbols themselves

In the new symbolism, form and content are completely merged The symbol is always what it means to an observer at a given time The character of the symbol may be said to vary with a

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<sup>6</sup>Elisabeth Schneider, *Aesthetic Motive* (New York The Macmillan Co., 1939), pp 22, 23

change in felt meaning Thus, to use the previous example, three spots of color may, to one individual at one time, assume the felt character of three men, at another time, the same three spots of color may symbolize to the same person three happy days spent at the seashore If the color is blue, in the first instance, it suggests some quality common to the three men In the second instance, it may suggest the water of the ocean or the blue sky In each case, it will be understood, the symbolical meaning is more vivid than the symbol—the symbol becomes absorbed in the meaning

The use of the new symbolism requires that the artist place complete reliance on a medium and the formal elements—lines, spaces, forms, textures, colors, and values—for adequate expression The acceptance by the artist of these means is based on the premise that they are the only indigenous means in art expression They are the pure constituents from which a work of art is compounded and without them there could be no art They are efficacious, that is to say, they contain the power to produce any and all visual effects which the artist may reasonably expect from his medium and means When they are organized, the artist finds them sufficient for the conveyance of his thoughts and feelings at all levels of expression

Symbolism which is not based on objective appearance anticipates the growth of a more universal type of painting than has been possible before Painting, in the past, has not been a universal art because it has been utilized to illustrate customs, habits, and ideas common to certain sections of the world which are not understood and valued in other sections It has been an art devoted to superficial surface appearances emphasizing locale and the little characteristics which distinguish an Englishman from a Frenchman, or a Frenchman from an East Indian It has never had the potency of music, not because it has lacked the necessary dynamic qualities, but because tradition has willed it otherwise

To be universal, art must be concerned with the deeper human and aesthetic emotions common to all men It should arouse these emotions in man, but not attempt to channel them toward a particular purpose or end It should stir feeling in man, but not control it in any way that circumscribes the individual's freedom to think, imagine, or feel according to his particular capacity and speed The

new symbolism meets these specifications for a universal art because it stimulates and suggests but does not restrain emotional activity once it is generated

The new symbolism also requires that the observer, instead of seeking the artist's intended meaning, use his imagination and interpret the meaning of the symbols in a way suited to his temperament, training, or emotional needs Rather than forever asking what it is and what it means, the observer should say to himself "This thing is different, it is unusual and should provide a new visual and emotional experience for me I am at liberty to place any interpretation that I wish on this work, I can give my imagination free play, I can enjoy this new experience to the limit of my power of enjoyment I should be curious and want to understand the types of art expression that have developed out of the needs and ideals of my period What does this work seem to express (not what does it represent) to me? It may be telling me that if there is any such thing as beauty, it exists in me Beauty is the way I feel about what I see It is my reaction to visual experiences The work may be telling me that red is beautiful because red is beautiful, or it may be saying that yellow is beautiful because of its power to remind me of a thousand pleasant, or unpleasant contacts with life "

The new symbolism places the observer entirely on his own imaginative, emotional, and intellectual resources He is not told what to think or feel This is confusing to great numbers of people, they have always had their feelings directed They have been told when to weep and how much, when to laugh, and when merely to feel pleasant or contented The confusion is greatest in persons whose imagination is limited by nature, and those whose training in the sciences and other factual subjects has atrophied the imagination with which they were originally endowed Great bewilderment is also seen in artists trained in the old tradition The values which they have believed in are rapidly breaking down, and they feel the instability of their position They are living through a period of change and seem to be unable to adjust themselves to the new art practices

The interest and emotional excitement offered by the pure art form will be fully appreciated once the public understands the

liberal intent of the artists and the final aesthetic function of the art In pure painting the intent of the artist has been to give the observer an active part in the aesthetic process The observer's imagination is forced into activity He is confronted with a new visual experience He cannot accept it passively as something he already understands He is aroused, perhaps confused, and he must somehow come to grips with this strange thing Whether he immediately, through the use of his imaginative resources, is able to resolve his varied reactions into a form of acceptance or enjoyment is of no consequence here The work of art has aroused him from a state of mental inaction to one of mental participation, and the intent of the artist is partially fulfilled

To arouse the observer to a state of mental participation in the aesthetic process is essential to the aesthetic success of a work of art Beauty is never felt until somehow the senses are activated and made alert to impressions Beauty may not at first be attributed to the unfamiliar object which arouses the individual from complacency But with repeated experiences he will apprehend the source of his aesthetic feeling and understand how the aesthetic purpose of the work has operated The best result of all will be the revitalization of the observer's imagination through use

In pure painting the observer is forced to liberate his self George Santayana, in "The Sense of Beauty," explains the liberation of the self.

The aesthetic effect of objects is always due to the total emotional value of the consciousness in which they exist We merely attribute this value to the object by a projection which is the ground of the apparent objectivity of beauty Sometimes this value may be inherent in the process by which the object itself is perceived, then we have sensuous and formal beauty, sometimes the value may be due to the incipient formation of other ideas, which the perception of this object evokes, then we have beauty of expression But among the ideas with which every object has relation there is one vaguest, most comprehensive, and most powerful one, namely, the idea of self The impulses, memories, principles, and energies which we designate by that word baffle enumeration, indeed, they constantly fade and change into one another Now, it is the essential privilege of beauty to so synthesize and bring to a focus the various impulses of the self, so to suspend them to a single image In the experience of these momentary harmonies we have the basis of the enjoyment of beauty, and of all its mystical meanings \*

\*George Santayana, "The Sense of Beauty," in *Modern Book of Aesthetics*, pp 142-43

But let us examine further the means by which the sense of beauty is aroused in the observer, and his self is liberated. It has been previously stated that the elements are symbols of all that exists. This is true when all the expressive possibilities of all the elements are considered. Through treatment by the artist, they may be made to suggest everything that man experiences in nature, as well as his emotional and intellectual reactions to his experiences. Individually, however, the elements are limited to certain areas for most effective expression, although there is a degree of suggestive overlapping. Lines which convey some ideas more strongly than colors may themselves be colored lines. But for the purpose of demonstrating the symbolical significance of the elements, it is best to explain at this time the meaning which may be attached to a single element, and later show what happens in a full orchestration of all elements.

In Figure 1, various elements function together, but our attention is directed to a single type of line and its expressive capabilities. This type of line is a flowing, progressing, unstable type which is in contrast to the precision and firmness of other lines and shapes in the composition. As a quantity, the line is subordinate to all other parts of the composition.

This fact, plus its contrasting character and isolation, makes it the most interesting and expressive element in the design. The line commands the chief visual focus and attention, and is climactic to the extent that all other parts of the composition seem to exist for the purpose of presenting it to vision. The total composition is dynamic and vital with essential expressive energy concentrated in the line.

#### **Some inherent qualities expressed by the line**

Length	Plasticity
Width	Delicacy
Direction	Reality
Height	Progression
Color	Fluidity
Value	Rhythm
Materials	Intensity
Tools	Instability
Medium	Indecision
Vibration	Two Dimensions

Other ideas and qualities expressed by the line which may in part be inherent, and in part made evident through contrast with complementary (opposite) qualities

- Motion of light in space
- Movement—fluctuating forward and backward
- Energy—dynamics
- Forms in tension
- Contrasts of types and kinds
- Unity—order
- Variety
- Equipoise—balance
- Emphasis
- Integration of forms
- Space-time feeling
- Visual penetration
- Continuity
- Symbolic unification
- Unity through medium
- Synthesis of forms
- Triumph of light over dark

Ideas, feelings, and emotions expressed by the line through suggestion, intimation, and association

- Mystery of the unknown
- Joy in the contemplation of the mysterious
- Social values—an unworthy neurosis in a stable society
- Sentimental values—the uncertain line leads nowhere, it is like an unloved sister
- Weakened power of the will
- Grandeur and misery
- Happiness and misfortune
- The rhythm of life
- Contrasts in life—hard and soft
- Birth and death
- Oneness of self and world
- Mirror of life—struggle to survive
- Unrequited love
- Desire for immortality
- Spiritual feeling—the power of universal forces
- Cosmic rhythm—movement in equipoise

The preceding lists are meant to show the unlimited expressive possibilities of the elements when used in a pure form. They are not complete—another writer compiling such lists might have enumerated entirely different ideas. Every sensitive person would respond to the line and the related parts of the design in his own way.

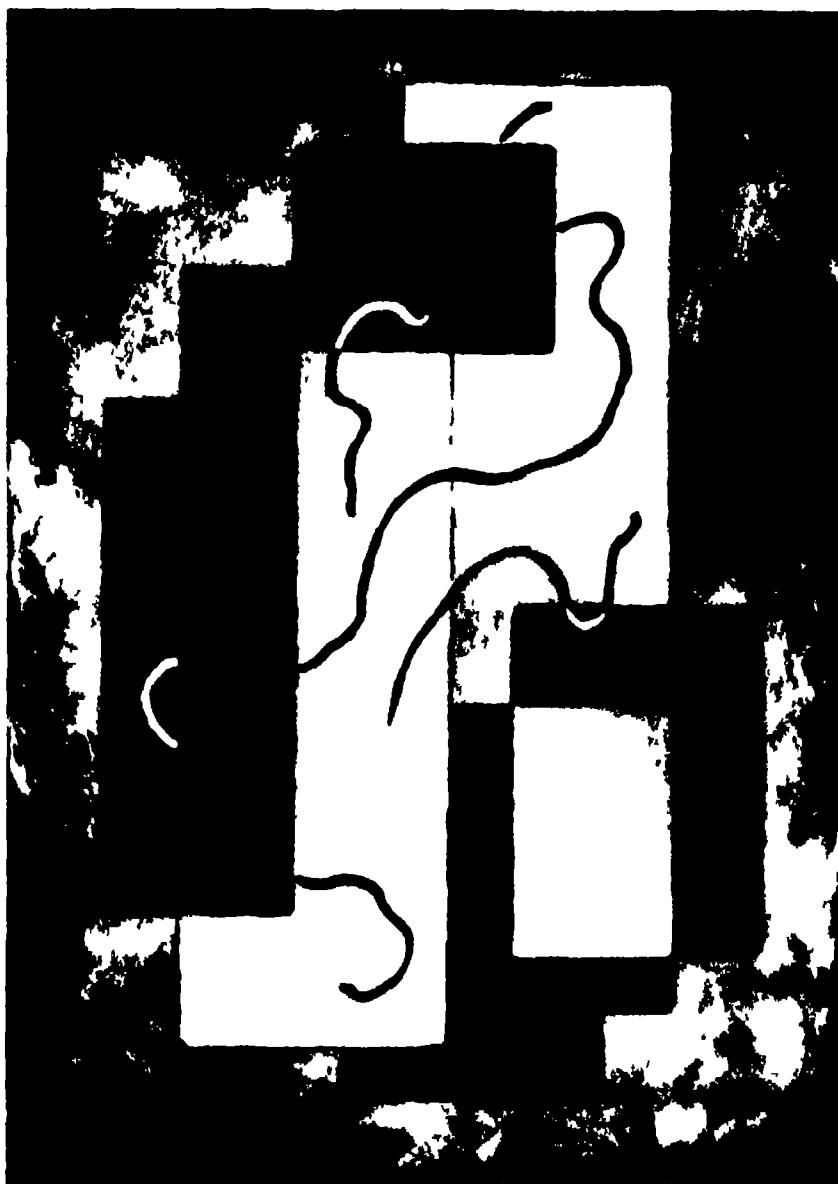


Figure 1



If the ideas listed seem somewhat beyond the imaginative capabilities of the ordinary person, the line and associated elements may be given imaginative form and character and personal attributes. In this way, they will be felt to personify well-known people or things, and finally they will become intimately expressive to the observer.

Personification expressed by the line and other forms in the composition

In contrast with the angular shapes the line has an unstable feeling. It seems to be going nowhere or everywhere. Its movement is irregular and undecided, and its direction is changed many times, although the general movement is vertical. The lack of stability in the line is emphasized by the sturdiness and power of the vertical and horizontal lines and shapes. By contrast with the firm, reliable character of these dominant shapes, the line is at once a black sheep in the family, or a skeleton in the closet. It is an uncontrollable wife who spends her days in beer taverns while her husband labors in his office and gives liberally to the orphans' home. It is a disillusioned wife who as a young person quit school to get married, and who is still adolescent in mind. She moves from one idea to another seeking what she calls romance, but is never able to find the right brand. She is to be pitied, if she had only stayed in school and taken one semester of social science, like the other proud and happy forms in the composition, she would not be on the brink of the gutter today. Her family is made up of good, reliable people, it was supposed by everyone that she would eventually take a useful place in the social group. In recent years, however, everyone has been disappointed in her, most of all her husband. He has sent her to various psychiatrists, but she has shown no improvement. It is often said that her husband would be justified in getting a divorce. The two children are as unreliable as their mother, they have acquired all of their mother's bad qualities, and none of the respectable traits of character for which the father's family is so well known.

Finally, it may be said of symbols that they express to an individual what he is capable of understanding through training and experience. The advantage of the formal elements as symbols lies in their unlimited connotations, flexibility, and plasticity. They become what they express in the observer's imagination.

## HISTORY AND DEVELOPMENT OF SCHOOL FINANCE IN WASHINGTON<sup>1</sup>

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The history of financial support for public schools in the state of Washington begins with the Oregon School Law of 1849, enacted before Washington received territorial status in 1854. Under the Organic Act passed by Congress setting up the territorial boundaries of Washington, Sections 16 and 36 were set aside for the support of public education, and at the first annual session of the Legislative Assembly, February 28, 1854, Governor Isaac I. Stevens emphasized the importance of education and urged the citizens of the territory to provide a system which would educate youth to the maximum of its endowment.

The first act setting up a common school system in the Territory of Washington recognized the theory of territorial support by making available the interest on the permanent school fund, even though no permanent school fund had resulted from the sale of school lands. Because of transportation and communication difficulties inherent in an undeveloped country, the county was set up as the administrative unit, and a four-mill tax levied for the support of schools. In addition to money derived from this source, it was provided that all monies paid in fines for breach of territorial penal laws were to be used for the support of the common schools, an additional special tax could be levied by directors for the purchase of fuel, and funds could also be raised through voluntary contributions made by residents of the district. Local effort, however, had to be made before county funds were available, and there was a minimum level below which no district could go. Citizens unable or unwilling to pay the regular school tax could substitute their own labor on the erection of schoolhouses in lieu of money payments.

The first tax-limitation law in Washington school history was

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<sup>1</sup>Summary of a dissertation presented in partial fulfillment of the degree of Doctor of Education at The State College of Washington (1947).

an act which provided that a legally called school meeting could vote a district tax for school purposes, but not to exceed  $2\frac{1}{2}$  mills

County school funds were apportioned according to the number of census children living in the district between the ages of four and twenty-one years. The only requirements for receiving county funds were certification by the clerk of the Board that school had been conducted in his district for three months by a qualified teacher. These county funds could be used at first only for the payment of half the teachers' salaries, the local district had to raise the other half through its own district tax. The next year, in 1855, the legislature added "and building schools" to the permissible use of county school funds, allowing the county to pay all of the teachers' salaries if money was available. The 1857 legislature, however, made it clear that county funds were still conditional upon the raising of tax monies locally.

The period between 1871 and 1887 was one of rapid school expansion. No radical changes occurred either in organization or in financial structure, but the pressure of population and a growing interest in education increased the number of districts and enlarged the powers of the persons in charge.

In the eleven years between 1872 and 1883 the number of school districts grew from 180 to 700. As population increased within given school districts, it was customary to divide them, but there was also a tendency to unite districts with small populations, in order to provide a better type of school. This, however, was not legally permitted until a legislative enactment in 1885.

The Act of 1871 provided for the appointment of a Territorial Superintendent of Education with term of office to run from the beginning of one biennium to the next. It also increased the permissible county school tax from three mills to four, the money to be used specifically for the hiring of teachers. At the same time, the business administration of school funds was organized with the apportionment set for specific dates, twice a year. The term of the district clerk was extended to three years to provide for greater continuity in office and, consequently, better records and more detailed reports. Districts permitted to draw county apportionment although without maintaining schools, were limited to those with a possible enrollment of fifteen or fewer. The same Act saw the first

compulsory-attendance law for children between eight and sixteen and a fine of \$100.00 imposed upon parents who did not send their children to school. Fines were also assessed on school districts permitting sectarian teaching in classrooms. In 1873 the four-mill county tax could be expended for incidental expenses as well as for the hiring of teachers. This permitted an expansion of school services. The same trend was evidenced in 1875, when school districts were authorized to hold an election for special levies, though not for more than two mills. This was the first time that taxes could be levied as a result of an election.

The Act of 1877 established the first Territorial Board of Education and provided for specific reports on a territorial basis. District clerks were required to take census of all children below the age of twenty-one, and it was made mandatory for county commissioners to levy a county tax of not less than two mills or more than six. At the same time the law established a fiscal year to run from September 1 to August 31. Four years later, the Act of 1881 made each incorporated town in the Territory a school district and permitted its board of directors to employ a city or town superintendent. It also allowed the holding of elections each year for the passage of a special levy of not more than ten mills for the construction of school buildings and an additional five mills for other purposes.

The subject of school lands occupied the attention of educational authorities as well as members of the legislature. The Territory of Washington owned more than 2,000,000 acres of these lands, some of them rented or leased. The sale of these lands at a reasonable price would go far to finance a greatly increased school program. Fortunately for the welfare of future generations, the management of these school lands was characterized by greater honesty and judgment than was true of similar public property in other states.

The admission of the Territory of Washington to statehood on February 22, 1889, made no change in school laws passed by the Territorial Legislature. All territorial laws were considered valid unless they were in conflict with either the Enabling Act or the new State Constitution. One of the first acts passed at this time safeguarded school lands by setting the purchase price at \$10.00

per acre and then only at a public sale This first session also provided for the sale and lease of school lands through a newly created State School Land Commission The history of Washington school lands is a fairly happy one There have been times when various state school superintendents have regretted that more of these lands have not been sold, but with the increase in values throughout the years the fact that not more than a fourth of these lands have been sold up to the present (June, 1946) assures that the heritage of our school children has been preserved and has steadily increased in value During all these years these lands have returned considerable income to the schools of the state through the sale of the timber and stone on them, and also through their rental or lease for various agricultural purposes

The pronouncement in the State Constitution that it is "the paramount duty of the state to make ample provision for the education of all children in its borders" is especially significant at this time because it established the responsibility for education as a state function, and in the term "ample provision" it provided a subject for argument which has lasted to this day With the ever-growing complexity of modern society and the steady development of higher educational standards the definition of the term "ample provision" becomes highly debatable Various legislatures have wrestled with it, and the effort from that day to this to increase the amount of state aid is an acceptance of the state's responsibility to make its financial provisions ample enough to meet the needs of modern society

The first state legislature also made it legal to issue bonds for school purposes up to 5 per cent of the assessed value of a district under 10,000 people and up to 2½ per cent in districts more heavily populated It also set up rules and regulations governing the sale and refund of these bonds It was evident that the rapidly growing needs of the state system of education had grown beyond the ability of current taxation to finance

By 1891 the State Superintendent's office had become elective, and further laws were passed to systematize the annual reports by clerks and teachers and to increase the power of school directors School districts were authorized through the medium of votes at school meetings to sell real or personal property, to borrow money,

and to maintain a school library Apportionments from the common school fund were now made twice a year on the basis of census children between the ages of five and twenty-one, and in 1894 the constitutional amendment permitted the investment of permanent school funds in school district bonds This was a good measure in that it increased the income of the schools by the interest money that would have gone elsewhere

In 1895 the Legislature passed the famous "barefoot schoolboy law," which provided that, in addition to using the revenue from the interest earned by the permanent school fund, the State Board of Equalization should levy a state-wide tax not to exceed four mills which would raise an amount equal to \$6 00 per census child This money was to be apportioned by the State Superintendent through the counties to the various school districts on the basis of census children This Act was the beginning of the state's effort to carry out its "paramount duty" and the injunction in the Constitution to establish a uniform system of common schools throughout the state.

The period from 1897 to 1932 was one of steady development when viewed in retrospect, yet the course of educational organization from session to session displays the usual democratic pattern of argument, tentative progress, and frequent retreats The method of handling school monies gradually improved Safeguards were set up, officials were given greater responsibility, and, by 1911, apportionment was increased to six times per year, so that the amount of emergency borrowing which had previously been necessary to meet obligations incurred between periods of apportionment was reduced

The scope of educational opportunity gradually expanded At first kindergartens were made permissible by a legislative enactment in 1908, but could be financed only by a special school fund voted by electors By 1911 they were free and were supported from the general fund In 1919 the Legislature provided means for setting up vocational education in the schools in order to take advantage of the Smith-Hughes Act The new era of modern education had not yet set in, but in spite of the depression in the 1930's, when the financial condition of the schools was so bad that warrant indebtedness totaled ten millions, the foundation was being laid for a better program of state support and a greatly enriched curriculum of educational offerings

Various legislatures revised and consolidated the school code in order that the "uniform system" clause in the Constitution might become operative State aid increased from the original \$6.00 per census child to \$8.00, then \$10.00, and finally \$20.00 School districts received increased powers to incur indebtedness Union high school districts were organized and free textbooks were furnished, first only by special vote of the people, later as a regular part of the school program The State Superintendent's staff was enlarged and teachers' contracts were systematized Transportation of pupils was authorized wherever necessary Altogether it was a period of ferment which eventually prepared the way for modern education

Because taxation is the bloodstream of public service, it is only natural that much legislative interest in the subject should be displayed The 1905 session created the State Tax Commission, which became the nucleus of the State Board of Equalization This Commission standardized procedures for assessment and collection of taxes It studied improved structures for general taxes and recommended and prepared bills for the legislature In 1907, the State Board of Finance was created for the purpose of investing the permanent school fund By 1909 the code revised and passed by the legislature contained many of the provisions which are operative today The handling and accounting of school funds in effect now is basically the same as that established by the 1909 code About this time, also, the state reached its peak in the number of school districts 2,710 in 1910

The 1917 legislature abolished the State Board of Tax Commissioners and substituted a single tax commissioner in its place with authority to hire an assistant The history of the next decade is a succession of proposed codes, initiative measures, and legislative bills prepared by various commissions, committees, and pressure groups for the better financing of education in Washington Many of these never received final enactment, but all of them kept alive the subject of education and needs of the schools

The depression, with its attendant hardships, very naturally brought about the "40-mill limit" initiative measure in 1932 for the relief of property owners By this measure the state tax was limited to five mills, the county to ten, the city to fifteen, and the school district to ten on a 50-per-cent assessed valuation At the same gen-

eral election the State Income Tax Initiative was passed and, though its rates were low, this source of revenue was expected to make up the losses suffered through the property-tax limitation. The State Supreme Court, however, ruled the graduate net income tax unconstitutional, and such aid as it might have brought was not at this time available.

The period between 1933 and 1945 brings us to the present moment and contains within the decade practically all of the problems with which the state of Washington is still wrestling. In 1933 State Superintendent Showalter presented an educational bill which contained many of the features recommended by the Tax Investigation Committee of 1929. This bill was passed and signed, and many of its provisions constitute the basis of present-day education in this state. A County Reviewing Committee was provided to oversee educational budgets but without authority to delete items. It authorized more funds from state sources up to twenty-five cents per pupil for each day's attendance. It collected and apportioned revenues according to the actual situations existing. Money was collected on a state-wide basis and distributed where the children attended school. The total state aid provided by this bill, however, was not made fully available until the end of the school year 1936-37. The ten-mill limit imposed upon school districts made it hard to finance local school programs in a period when depression produced delinquencies and decreased valuations, but some relief was produced by an Occupations Tax on all businesses and by the restoration to the tax rolls of private agencies formerly exempted. At the same time, the "sustained yield" law passed by the 1933 legislature augured well for the future by giving assurance of continued returns from school lands.

In 1934 a state-wide school survey made by the United States Office of Education with the co-operation of the Emergency Relief Administration endeavored to determine what school centers should be maintained in a long-period education program. This survey questioned the continuation of the union high school districts, because they were difficult to finance and because most of them were eager to reorganize as single units. It also recommended that all non-high-school districts should become an integral part of some high-school district, and, because the passage of the "40-mill"

"limit" tax legislation created hardships, the tendency to consolidate districts—a trend which had become evident earlier in the century—continued. This was the first thorough survey of school-district organization and was especially timely, inasmuch as more property tax limitation was being enacted.

In 1934 the Washington Taxpayers Association, which had engineered the earlier forty-mill limitation, secured the passage of an initiative measure which in effect reduced the forty-mill limit to thirty-seven or less, disallowed levies for interest and redemption of bonds issued thereafter if over the forty-mill limit, placed some restrictions on voting, and provided further exemption for personal property. To relieve the hardships created by these limitations, the Revenue Act of 1935 imposed various excise taxes and assigned to the current school fund 58.51 per cent of the amount thus collected. In 1937, the Legislature passed another personal net-income tax, this time without the graduated rates which the Supreme Court had declared unconstitutional, but this too was declared unconstitutional. The same legislature made mandatory a minimum salary for teachers of \$1200 per year unless the salary costs in any district amount to more than 70 per cent of the total expenditure budget. It also passed an equalization law providing a minimum level for all districts and created a state school equalization fund of two mills levied on all county property. It is interesting to note that state contributions to local school expenditures had increased from 28.72 per cent prior to 1933 to 53.62 per cent in 1937.

The 1941 legislature amended the Revenue Act of 1935 to broaden the tax base and improve the administrative provisions for collection and distribution. The most salient feature of the new law was an increase in the retail sales tax from 2 to 3 per cent. The same legislature established public junior colleges as part of the educational system and made certain provisions for their financing.

In 1942, war industries had increased the population of the state, boomed certain communities, and created emergencies. The foresight of the 1941 legislature in providing a state building fund of \$3,000,000 and an emergency fund for operation of \$700,000 made easier the acquisition of funds from the Lanham Act, passed by the Federal Congress, and helped to tide the schools over this period of stress.

From that year to the present time, various legislative enactments have increased the authority of directors to operate an expanded educational program and in 1943 provided \$1,400,000 to increase teachers' salaries. The 1945 session made extensive revisions in the general act for financing common schools, the most important of which was the authorization to allocate monies from the general fund to pay monthly apportionments to schools in full if the amount in the school fund is not sufficient. The state seems to have fully accepted its responsibility to assist in setting up minimum standards for all the schools in the state and to make special grants to school districts in which the total amount of revenue available does not meet these minimum standards.

It will soon be a century since the first territorial session of the legislature met, and in that time much progress has been made.

## A PROBABLE BORROWING BY COLERIDGE FROM THE SEASONS

HERBERT E. ARNTSON

*Instructor in English*

Samuel Taylor Coleridge, though probably not influenced very greatly by James Thomson's poetry, seems to have done some borrowing from the eighteenth-century writer between the fall of 1794 and the spring of 1795. Within that time, Coleridge was working on his *Religious Musings*,<sup>1</sup> a poem "first conceived at Cambridge late in 1794 and close on two years in the writing", within that same period, if we may judge by strong evidence, he read *The Seasons*.

The first entry in Coleridge's hodge-podge notebook, the Gutch Memorandum Book,<sup>2</sup> is

The Vernal Hours

Leg. Thomson

"The lines on the Vernal Hours," explains Professor Lowes, "naturally enough suggested 'Spring,' and Coleridge made memorandum to read (or re-read) the *Seasons*. But Coleridge, upon reading Thomson's footnotes , proceeded to hunt up Maupertuis"<sup>3</sup> As to the date of the notebook, Professor Lowes states that "internal evidence makes it clear that it embraces a period of about three years, from the spring of 1795 to the spring or summer of 1798", and since Coleridge, as shown by Professor Lowes,<sup>4</sup> made use of Maupertuis in his sonnet "To William Godwin," a poem that appeared in the *Morning Chronicle* on January 10, 1795,<sup>5</sup> he had already referred to Thomson—which, incidentally, points toward an earlier dating of the Gutch Memorandum Book, but does not necessarily fix the latest date of Coleridge's reading in *The Seasons*.

<sup>1</sup> Ernest Hartley Coleridge, ed., *The Poems of Samuel Taylor Coleridge* (Oxford: Oxford University Press, 1935), pp. 108-25.

<sup>2</sup> Lawrence Hanson, *The Life of S. T. Coleridge, The Early Years* (Oxford: Oxford University Press, 1939), p. 104.

<sup>3</sup> British Museum Add. MSS. 27901. A photograph of the first page of the GMB appears in John Livingston Lowes' *The Road to Xanadu* (Boston: Houghton Mifflin, 1927), facing p. 14.

<sup>4</sup> *Ibid.*, p. 36.

<sup>5</sup> *Ibid.*, p. 5.

<sup>6</sup> *Ibid.*, p. 36.

<sup>7</sup> *The Poems of Samuel Taylor Coleridge*, p. 86, n. 1.

A comparison of the two works, *Religious Musings* and *The Seasons*, reveals a striking parallel in the picture of the rising sun glistening in the dew

But lo! the bursting Sun!  
 Touched by the enchantment of that sudden beam  
 Straight the black vapour melteth, and in globes  
 Of dewy glitter gems each plant and tree,  
 On every leaf, on every blade it hangs!  
 Dance glad the new-born intermingling rays,  
 And wide around the landscape streams with glory!

*Religious Musings*, II 98-104

The lengthened night elapsed, the morning shines  
 Serene, in all her dewy streams, beauty bright,  
 Unfolding fair the last autumnal day  
 And now the mounting sun dispels the fog,  
 The rigid hoar-frost melts before his beam,  
 And hung on every spray, on every blade  
 Of grass, the myriad dewdrops twinkle round

"Autumn," II 1165-1171

The following excerpt from "Spring," though speaking of sunset rather than sunrise, may also have contributed to Coleridge's passage

Till, in the western sky, the downward sun  
 Looks out, effulgent, from amid the flush  
 Of broken clouds, gay shifting to his beam  
 The rapid radiance instantaneous strikes  
 The illumined mountain, through the forest  
 Shakes on the floods, and in a yellow mist  
 Far smoking o'er the interminable plain,  
 In twinkling myriads lights the dewy gems,  
 Moist, bright, and green, the landscape laughs around

"Spring," II 189-197

Not only is the picture much the same in the two poems, but the expression is similar *bursting sun*, *mounting sun*, *downward sun*, *black vapour*, *fog*, *yellow mist*, *beam*, *beam*, *beam*, *dewy glitter gems*, *dewdrops twinkle*, *dewy gems*, *around the landscape streams*, *the myriad dewdrops twinkle round*, *the landscape laughs around*

From this internal evidence, and from a comparison of the dates of *Religious Musings* and the time of the first entry in the Gutch Memorandum Book, it seems that Coleridge was influenced by *The Seasons*—presumably in late 1794 or early 1795

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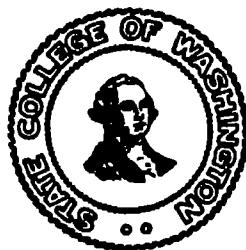
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OF THE  
STATE COLLEGE OF WASHINGTON



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Pullman, Washington

RESEARCH STUDIES  
*of the*  
STATE COLLEGE OF WASHINGTON

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Entered as second-class matter December 26, 1936, at the post office at Pullman, Washington, under Act of August 24, 1912

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# RESEARCH STUDIES of the STATE COLLEGE OF WASHINGTON

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Volume XV

December, 1947

Number 4

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## THE GENUS *ALLIUM* IN ARIZONA<sup>1</sup>

MARION OWNBEY

*Associate Professor of Botany*

A critical study of the genus *Allium* in Arizona was undertaken at the request of Doctor T H Kearney, who has in preparation a second edition of Kearney and Peebles' *Flowering Plants and Ferns of Arizona*. Because many pertinent data were abbreviated or excluded from the condensed treatment prepared for Doctor Kearney, they are here presented in a more extended form.

The genus *Allium* is represented in Arizona by thirteen species, two of which each include two recognizable geographical varieties—a total of fifteen taxonomic entities. The species now known from Arizona include all those known to approach the borders of that state, and it is likely that the list is complete. In a genus notorious for its difficulty, the Arizona species of *Allium* are well marked. No careful student should experience difficulty in determining them easily and accurately.

During the course of this study, it has been necessary to consult the Arizona collections in most of the larger American herbaria, and to determine in so far as practicable the type application of the names which have been used for the Arizona species. The herbaria consulted and the abbreviations used in the citation of specimens follow. To the curators of these herbaria grateful acknowledgment is made of their kindness in lending these specimens for study.

### ABBREVIATIONS

CA—California Academy of Sciences Herbarium

CLUC—Clokey Herbarium at the University of California,  
Berkeley

D—Dudley Herbarium of Stanford University

F—Herbarium of Chicago Natural History Museum

G—Gray Herbarium of Harvard University

M—Missouri Botanical Garden Herbarium

NY—New York Botanical Garden Herbarium

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<sup>1</sup> Published June 30, 1949

P—Pomona College Herbarium

PA—Herbarium of the Academy of Natural Sciences of Philadelphia

RM—Rocky Mountain Herbarium of the University of Wyoming

SAC—Herbarium of the United States Field Station, Sacaton, Arizona

UA—University of Arizona Herbarium

UC—University of California Herbarium, Berkeley

UCLA—University of California Herbarium, Los Angeles

US—United States National Herbarium

UT—University of Texas Herbarium

WS—State College of Washington Herbarium

#### KEY TO THE SPECIES AND VARIETIES

- A Bulb coats persisting as an outer reticulum of coarse anastomosing fibers
- B Leaves 3 or more per scape, alveoli on seeds pustuliferous tall, mountain species
  - C Bracts of spathe mostly 1-nerved, ovary inconspicuously crested with 6 knob-like processes or (sometimes?) crestless, bulb not stipitate at base
    - D Umbel wholly floriferous, flowers fertile — 1 *A. Geyeri*
    - DD Most of the flowers replaced by bulbils, flowers usually sterile — 2 *A. rubrum*
  - CC Bracts of spathe 3- to 5-nerved, ovary conspicuously crested with 6 flattened lacerate processes, bulb stipitate (short rhizomatous) at base — 3 *A. Plummerae*
  - BB Leaves usually 2 per scape, alveoli on seeds not pustuliferous, bracts of spathe 3- to 5-nerved, ovary crested, usually conspicuously, with 6 flattened processes low, desert species — 4 *A. macropetalum*
- AA Bulb coats without fibers or with parallel fibers, never fibrous-reticulate
  - E Perianth segments of inner whorl obscurely serrulate-denticulate, long-acuminate with recurved tips, outer segments similar but broader, longer, and usually entire, ovary and capsule not prominently crested, outer bulb coats cellular-reticulate, meshes about equally long and broad, relatively large with thick walls — 5 *A. acuminatum*
  - EE Perianth segments of both outer and inner whorls entire, other characteristics never combined as above
  - F Ovary and capsule not crested, outer bulb coats with rectangular cells in regular vertical rows, the cell walls often obscure even under strong magnification
    - G Bulbs elongate, terminating stout, *Iris*-like rhizomes, outer bulb coats with persistent parallel fibers, strata with elongate cells in regular vertical rows — 6 *A. Gooddingii*

- CG Bulbs ovoid or sub-spherical, without *Iris*-like rhizomes, outer bulb coats without fibers, obscurely or not at all striate  
 H Bulbs about 1 cm thick, solitary, proliferating from the base by means of slender, *Agropyron*-like rhizomes  
 — — — — — 7 *A. glandulosum*
- HH Bulbs about 2 cm thick, often clustered, sometimes stipitate (short-rhizomatous) at base, but without long slender rhizomes — — — — — 8 *A. Kunthii*
- FF Ovary and capsule conspicuously crested
- I Umbel nodding, stamens exserted, bulb elongate, stipitate (short-rhizomatous) at base, outer bulb coats striate with rectangular cells in regular vertical rows  
 J Leaves narrow, channeled, bulbs red slender plants of northern and eastern Arizona — — — 9a *A. cernuum* var *obtusum*  
 JJ Leaves broader, flat, bulbs pink or white more robust plants of southeastern Arizona — — — 9b *A. cernuum* var *neomexicanum*
- II Umbel erect, stamens included, bulb ovoid or sub-spherical, not stipitate at base
- K Leaf solitary, terete, surpassing the scape in length, alveoli on seeds minutely roughened  
 I. Perianth pale pink or nearly white, 8 to 12 mm long, commonly much less than twice as long as the stamens, pedicels slender, longer than the flowers  
   M Outer bulb coats, or some of them, with distinct, contorted cellular reticulations — — — 10 *A. nevadense*  
   MM Outer bulb coats without cellular reticulations or these indistinct — — — 10a 4 *A. nevadense* var *crustatum*  
 LL Perianth usually deep pink, 12 to 20 mm long, about twice as long as the stamens, pedicels stout, mostly shorter than the flowers, bulb coats without reticulations — — — 11 *A. Parishii*
- KK Leaves two or more per scape, flattened and channeled  
 N Scape low (3 to 5 [to 10] cm), outer bulb coats dark brown, cellular-reticulate, meshes vertically elongate or contorted, walls not sinuous, perianth segments pink, acute, pedicels erect or ascending in fruit, alveoli on seeds smooth — — — 12 *A. Bigelowii*  
 NN Scape taller (10 to 30 cm), outer bulb coats grayish or brownish, cellular-reticulate, meshes usually transversely elongate, walls very sinuous, perianth segments purplish, acuminate, outer pedicels reflexed in fruit, alveoli on seeds each with a minute pustule in the center — — — 13 *A. Palmers*

1 *Allium Geyeri* S Watson in Am Acad Arts and Sci Proc  
 14. 227 1879

*Allium dictyonum* Greene, Pl Baker 1 52 1901

*Allium pikeanum* Rydberg in Torr Bot Club Bull 31 402 1904

*Allium funiculosum* A Nelson in Am Jour Bot 21 573 1934

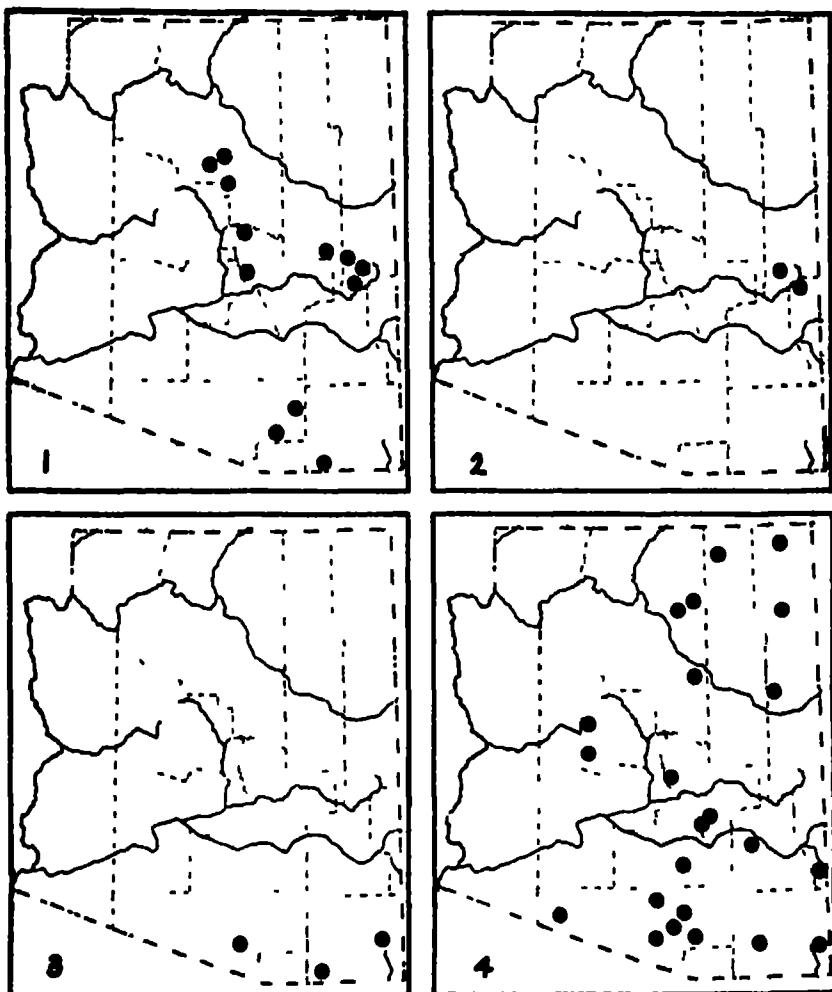
Bulb ovoid or more elongate, usually one of a cluster, inner coats whitish, outer coats persisting as a series of grayish, fibrous, rather coarse-meshed reticula enclosing 1 or more bulbs, leaves ordinarily 3 or more per scape, channeled, concave-convex in cross section, 1 to 5 mm broad, usually shorter than the scape, green at anthesis, scape 1 to 5 dm tall, terete or somewhat angled, spathe membranaceous, acuminate, breaking before anthesis into 2 or 3 separate or partially united, ovate to lanceolate, acuminate, mostly 1-nerved bracts, umbel 10- to 25- (sometimes many-) flowered, pedicels nearly equal in length, often less than twice that of the perianth, becoming rigid and stiffly spreading in fruit, perianth segments 4 to 10 (usually 6 to 8) mm long, ovate to lanceolate, obtuse to acuminate, erect, pink or rarely white, often obscurely toothed on the margin and papillose on the midrib, becoming callous-keeled and permanently investing the capsule, stamens usually shorter than the perianth, filaments subulate, dilated and united into a cup at the base, anthers oblong, obtuse or umbonate, ovary inconspicuously crested with 6 low, rounded knobs, these separate or united in pairs across the septa, becoming variously developed or obsolete in fruit, usually not more than 5 mm high, style subulate, shorter than the filaments, stigma capitate, entire or obscurely 3-lobed, alveoli on seeds each with a minute pustule in the center

*Allium Geyeri* is a complex species made up of many poorly marked local races. These are particularly frequent in the southern part of its range. The type came from northern Idaho, but there is no morphological basis for distinguishing a southern and a northern subspecies. Aside from *A. rubrum*, it has no particularly close allies, its next closest relatives being *A. Plummerae*, *A. textile*, and *A. macropetalum*.

DISTRIBUTION Meadows and stream banks or moist open slopes in the mountains, western Texas to eastern Arizona, northward through New Mexico, Colorado, and eastern Utah to southern Wyoming, disjunct to northern Idaho and eastern Washington, with outlying stations in western Montana, southern Alberta, and the Black Hills of South Dakota June to August.

ARIZONA COLLECTIONS APACHE CO 9 mi e of McNary, White Mts., July 18, 1940, R S Ferris 10125 (D, UC), Thompson Ranch, White Mts., July 14, 1910, L N Goodding 593 (G, NY, RM, UA, WS), Bonita Creek, White Mts., July 23, 1912, Goodding 1240 (NY, RM, UA, US, WS), 1 mi e of McNary, July 12, 1946, M Ownbey & G B Ownbey 3014 (WS), 18 mi e of McNary, S 29, T 8 N, R 27 E, July 12, 1946, Ownbey & Ownbey 3017

(WS), Willow Spring, June 10-20, 1890, E Palmer 574 (CA, D, G, UA, US) NAVAJO CO White Mts, 10 mi w of McNary, 2190 m, June 24, 1930, G J. Goodman & C L Hitchcock 1342 (D, G, M, RM), Billie Creek, base of Springer Mt, 2100 m, Aug 8, 1945, L M Puls 1754 (WS), 3 mi n of McNary Junction, 2100 m, Aug 10, 1945, Puls 1780 (WS) COCONINO CO near Flagstaff, 2100 m, July 10, 1938, C F Deaver 910 (US), near Flagstaff, July 15, 1927, E O Foster 4792 (SAC, US), Fort Valley, July 4, 1927, H J Fulton 4386 (SAC, US), Schultz Pass, 2400 m, July 28, 1922, H C Hanson A226



Figs 1-4. Distribution of *Allium* in Arizona. Fig 1 *A Geyeri* Fig 2  
*A rubrum* Fig 3 *A Plummerae* Fig 4 *A macropetalum*

(M, NY), vicinity of Flagstaff, Aug 7-11, 1915, A S Hitchcock (US), Flagstaff, Aug 12, 1884, M E Jones (P), Smith Creek, e slope of San Francisco Peaks, 2400 m, July 13, 1901, J B Leberg 5693 (D, US), De la Vergne Park [now Fort Valley], Aug., 1884, J. G Lemmon & Mrs J G Lemmon 3217 (G, UC, US), Harts Ranch, July, 1883, H H Rusby 841 (G, M, NY, PA, US), Navajo Ordnance Depot [at Bellemont], July 10, 1943, P O Schaller (WS), s of Flagstaff, July 17, 1892, J W Toumey 435 in part (P, US), Mormon Lake, July 18, 1892, Toumey 435 in part (D), Willow Springs, July 14, 1892, Toumey 436 (US) GILA CO Barnhart Pass, Matatzal Mts, 1500-1710 m, Sept 7, 1933, Rose E Collom 194 (US), Barnhart Pass, 1800 m, Aug 15, 1937, Collom 798 (US), Weber Creek rimrock, Tonto Basin, Aug 2, 1897, E A Mearns 135 (NY), Pine, July 23, 1892, Toumey 435 in part (UA) COCHISE CO Miller Peak, Huachuca Mts, Aug 22, 1907, Goodding 2422 (G, M, NY, RM, UC) PIMA CO Mt Baldy [Wrightson], Santa Rita Mts, 2370 m, June 20, 1937, R Darrow (UA, US), Rincon Mts, 2280 m, 1891, G C Nealey 77 (M, NY, US)

## 2 *Allium rubrum* Osterhout in Torr Bot Club Bull 27 506 1900

*Allium fibrosum* Rydberg in Torr Bot Club Bull 24 188, pl 300 1897,  
not Regel, 1875, *A Rydbergii* Macbride in Gray Herb Contrib N S,  
No 50, p 7 1918

*Allium arenicola* Osterhout in Torr Bot Club Bull 27 506 1900 (Sept),  
not Small, 1900 (May), *A sabulicola* Osterh *Ibid* p 539

Bulb ovoid or more elongate, sometimes one of a cluster, inner coats whitish, outer coats persisting as a series of grayish, fibrous, coarse- to fine-meshed reticula enclosing 1 or more bulbs, leaves ordinarily 3 or more per scape, channeled, concave-convex in cross section, 1 to 5 mm broad, usually shorter than the scape, green at anthesis, scape 2 to 5 dm tall, terete or somewhat angled; spathe membranaceous, acuminate, breaking before anthesis into 2 or 3 separate or partially united, ovate to lanceolate, acuminate, mostly 1-nerved bracts, umbel few-flowered, pedicels nearly equal in length, often less than twice that of the perianth, becoming stouter with age, mostly replaced by ovate, acuminate bulbils, perianth segments 6 to 8 mm long, ovate to lanceolate, obtuse to acuminate, entire, erect or spreading, pink or rarely white, becoming callous-keeled and rigid when fruit is produced, otherwise withering, stamens 2/3 to 4/5 the length of the perianth, filaments subulate, dilated and united into a cup at the base, anthers oblong, obtuse or umbonate, ovary inconspicuously crested with 6 low, rounded knobs, style subulate, shorter than the filaments, stigma capitate, entire or obscurely 3-lobed, seeds alveolate, rarely produced

Under *Allium rubrum* are grouped a number of asexual, bulbiferous races assumed to have been derived from *A. Geyeri*. Often a certain amount of morphological parallelism exists between the race of *A. Geyeri* and that of *A. rubrum* occurring in the same region, but not always. The distributional ranges of the two are parallel, but do not always coincide—sometimes by several hundred miles. Even when they occur in the same region, they grow in separate colonies, and there is no evidence that the transformation from *A. Geyeri* to *A. rubrum* takes place very often.

DISTRIBUTION Meadows and stream banks in the mountains, New Mexico and eastern Arizona, northward through the Rocky Mountain region to southern Alberta, eastern Oregon, and northeastern Nevada, with an outlying station on Vancouver Island, British Columbia, July and August.

ARIZONA COLLECTIONS APACHE CO Thompson Ranch, Black River, White Mts., July 11, 1910, L N Goodding 526 (G, NY, RM, UA, US, WS), Bonita Creek, White Mts., July 23, 1912, Goodding 1218 (NY, UA, WS), W Fork of Little Colorado River, above Sheep Crossing, White Mts., S 31, T 7 N, R 27 E, July 12, 1946, M Ownbey & G B Ownbey 3019 (WS) GREENLEE CO Hannagan Meadow, White Mts., 2850 m., Aug 12, 1935, T H Kearney & R H Peebles 12291 (G, SAC, US).

3 *Allium Plummerae* S Watson in Am Acad Arts and Sci Proc 18 195 1883

Bulb elongate, stipitate (short-rhizomatous) at base, usually one of a cluster, inner coats whitish, outer coats persisting as a series of grayish, fibrous, very coarse-meshed reticula, leaves several per scape, channeled, concave-convex in cross section, 3 to 7 mm broad, rounded at the apex, shorter than the scape, green at anthesis, scape 3 to 5 dm tall, terete or somewhat flattened, spathe membranaceous, caudate, breaking before anthesis into 2 or 3 separate or partially united, lanceolate, attenuate, 3- to 5-nerved bracts, umbel 10- to 25-flowered, pedicels unequal in length, 2 to 3 times that of the perianth, more or less arcuate or flexuous, becoming rather rigid and elongating in fruit, perianth segments 5 to 10 mm long, lanceolate, acute, entire, spreading or reflexed, white or pink, withering in fruit, the midrib becoming noticeably thickened, stamens about equaling the perianth in length, filaments subulate, dilated and united into a cup at the base, anthers oblong, obtuse or acute, ovary conspicuously crested with 6 flattened, lacerate processes, these usually well developed in fruit, as much as 2 mm high, usually united in pairs across the septa, style subulate, about equaling the filaments in length, stigma

capitate, entire or obscurely 3-lobed, alveoli on seeds each with a minute pustule in the center

*Allium Plummerae* combines in one species the growth habit of *A. cernuum* and the technical characters of the *A. Geyeri* alliance. It is apparently much more closely related to the latter, although this relationship is evident only after close examination.

DISTRIBUTION Rocky slopes, stream banks, and marshy ground, mountains of southeastern Arizona and adjacent northern Mexico June to September

ARIZONA COLLECTIONS COCHISE CO trail to Cima Ranger Station, Rustler Park, Chiricahua Mts, July 8-12, 1940, R S Ferris 9947 (CLUC, D, G), Miller Peak, Huachuca Mts, July 12, 1909, L N Goodding 179 (G, NY, RM, UA, WS), Ramsey Canyon, Huachuca Mts, Aug 28, 1912, Goodding 1335 (NY, UA, WS), Miller Peak, Aug 22, 1907, Goodding 2426 (RM, UC), site of Hamburg, Ramsey Canyon, 2040 m, Sept 30, 1945, F W Gould & H S Haskell 3393 (WS), Huachuca Mts, 2100 m, Sept 4, 1903, M E Jones (CA, G, M, P, US), Cave Creek Canyon, Chiricahua Mts, 1800-2400 m, June, 1927, J Aug Kusche (CA, NY, US), Tanners Canyon, Huachuca Mts, July, 1882, Lemmon 2893 (G TYPE), Huachuca Mts, Sept, 1882, J G Lemmon & Mrs J G Lemmon (PA), between Fort Huachuca and San Pedro River, July 27, 1893, I A Mearns 1532, 1538 (US) PIMA CO Baboquivari Canyon, 1650 m, Aug 31, 1945, Gould & Haskell 3236 (WS), Baboquivari Canyon, Oct 30, 1925, R H Peebles 572 (SAC, US)

#### 4 *Allium macropetalum* Rydberg in Torr Bot Club Bull 31. 401 1904

*Allium reticulatum* var *deserticola* Jones, Contrib West Bot No 10, p 30, fig 60 1902, *A. deserticola* Wooton & Standley in U S Nat Herb Contrib 16 114 1913

Bulb ovoid, usually one of a cluster, inner coats whitish, outer coats persisting as a series of brown, fibrous, usually coarse-meshed reticula enclosing 1 or more bulbs, leaves usually 2 per scape, channeled, concave-convex in cross section, 1 to 3 mm broad, exceeding the scape in length, green at anthesis, scape 5 to 2 dm tall, terete or somewhat angled, spathe membranaceous, acuminate, breaking before anthesis into 2 or 3 separate or partially united, ovate to lanceolate, acuminate, mostly 3- to 5-nerved bracts, umbel 10- to 20- (rarely fewer- or more-) flowered, pedicels unequal in length, 2 to 3 times that of the perianth, more or less flexuous, becoming rigid in fruit, perianth segments 8 to 12 mm long, lanceolate, obtuse to acuminate, entire, spreading, pink with a deeper pink or reddish midrib, becoming papery in fruit, the midrib scarcely thickened, stamens about 2/3 the length of the perianth, filaments subulate, dilated and united into a cup at the base,

anthers oblong, obtuse, ovary conspicuously crested with 6 flattened processes, these usually well developed in fruit, often as much as 2 mm high, usually united in pairs across the septa, style subulate, shorter than the filaments, stigma capitate, entire or obscurely 3-lobed, alveoli on seeds not pustuliferous

*Allium macropetalum* is closely allied to *A. textile* of the Great Plains, but it is not difficult to assemble an impressive number of obscure but constant differences between them. In distribution, they do not overlap except in northeastern Utah. This is the most widespread wild onion in Arizona, and sometimes it is very abundant.

DISTRIBUTION Desert plains and hills, western Colorado and eastern Utah, southward to southern Arizona, New Mexico, and western Texas March to June

ARIZONA COLLECTIONS APACHE CO Gothic Wash, 5 mi w of Red Mesa Trading Post, 1560 m, Apr 21, 1941, H C Cutler 4635 (G, M, NY, WS), Third Forest, Petrified Forest National Monument, 1680 m, May 19, 1941, C B Flemming, Jr., 25 (WS), 15-17 mi n of Ganado, 1830-1860 m, June 10, 1937, R H Peebles & E G Smith 13477 (SAC), 13494 (G, US), 9 mi n e of Rock Point, 1710 m, June 11, 1937, Peebles & Smith 13546 (SAC) NAVAJO CO Marsh Pass, 1800 m, June, July, 1933, M Darsie (M, UCLA), Shato to Betatakin Ruins, 2025 m, June 3, 1935, Peebles & H J Fulton 11897 (G, NY, SAC, US) COCONINO CO 15 mi e of Tuba City, May 21, 1937, Cutler 1137 (M), 10 mi s w of Tuba City, 1200 m, Apr 22, 1941, Cutler 4648 (G, M, NY, WS), 9 mi n e of Tuba City, 1575 m, June 3, 1935, Peebles & Fulton 11871 (CA, P, SAC, US), 12 mi n w of Winslow, May 10, 1901, L F Ward (NY, US) YAVAPAI CO Skull Valley, 1290 m, May 1, 1903, M E Jones (CA, D, M, P, US, UT, WS), base of Yarnell Hill, April 21, 1935, C W McLellan & L L Stitt (SAC) GILA CO near Collom Camp, Matatzal Mts, 1200 m, no date, Ross E Collom 289 (M, NY), near Globe, Highway 60, 1050 m, Apr 21, 1935, Collom s n (UA), 343 (US), 379 (M), Pinal Mts, May 8, 1929, A Eastwood 17013 (CA) PINAL CO 17 mi s of Florence, Tucson road, Apr 19, 1922, M C Wiegand & G B Upton 3034 (M) GREENLAW CO Duncan, May, 1920, M Durant (P) GRAHAM CO near Fort Thomas, 825 m, Apr 17, 1940, Peebles & H W Parker 14580 (SAC) COCHISE CO Apache, 1300 m, May 3, 1924, W W Eggleston 19862 (UA, US), Dragoon Mts, June, 1899, J H Eby (M), Rodeo [New Mexico], Apr 8, 1930, Jones 26978 (CA, M, P), 26981 (M, P) PIMA CO Tucson Mts, Mar 23, 1911, J C Blumer 4293 (US), Silverbell Mts, Mar 21, 1937, R Darrow (P, UA, UC), Baboquivari Mts, Apr 10, 1928, M F Gilman 1139 (P), s of Sawtooth Mt, w of Tucson, 750 m, Mar 22, 1928, L H Graham 3001 (D), range reserve, near Tucson, Mar 27, 1901, D Griffiths 2553 (NY, UA), 7 mi e of Papago Wells, Mar 14, 1937, Chas F Harbison 17060 (SAC), Sierra Tucson, Mar 12, Apr 21, 1884, C G Pringle (G, M, NY, PA, US), Sierritas, above 1140 m, Mar 30, 1900, V M Spalding (UA), Tucson Mts, Mar 19, 1905, J J

*Thornber* 5942 (UA, WS), mesas, Wilmot, Mar 28, 1903, *Thornber & Mrs Thornber* 2324 (UA), Tucson Mts, Mar 16, 1896, *J W Toumey* (US), along Kinney Road, Tucson Mt Recreational Area, 10 mi s w of Tucson, Mar 15, 1933, *I L Wiggins* 6492 (D, US)

5. *Allium acuminatum* Hooker, Fl Bor-Am 2 184, t 196  
1839

*Allium acuminatum* var *cuspisatum* Fernald in Zoe 4 380 1894, *A cuspisatum* Rydberg, Fl Rocky Mts, pp 160, 1061 1917

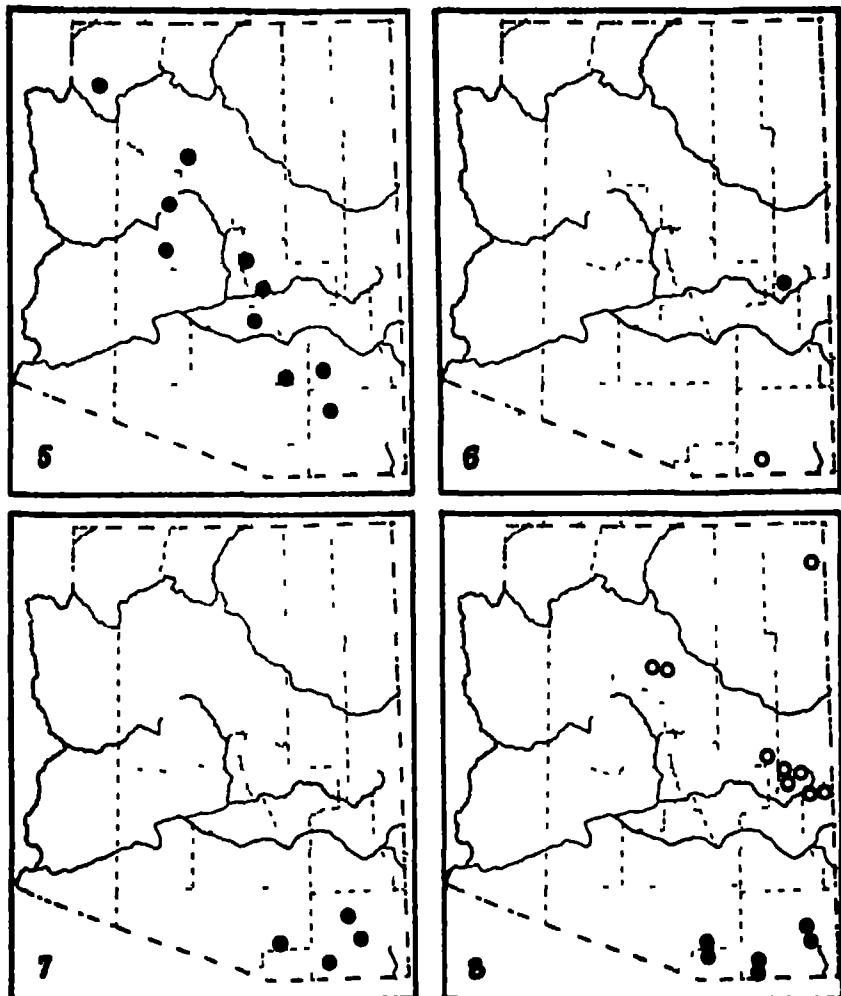
Bulb subspherical, usually one of a cluster, inner coats whitish, outer coats brownish, thick, prominently cellular-reticulate, meshes about equally long and broad, with thickened, obscurely sinuous walls, leaves 2 or more per scape, channeled, concave-convex in cross section, 1 to 2 mm broad, shorter than the scape, withering and commonly breaking off at anthesis, scape 1 to 2 dm tall, terete, spathe membranaceous, acuminate, breaking into 2 separate or partially united, lanceolate, acuminate, 3- to 5-nerved bracts, umbel few- to several-flowered, pedicels unequal in length, rather stout, 1 to 2 times the length of the perianth, outer perianth segments 8 to 15 mm long, lanceolate, acuminate, with the tips recurved or widely spreading, usually entire, pink or rose-purple (in Arizona) to white, becoming rigid in fruit, with somewhat involute margins, but scarcely thickened midribs, inner perianth segments similar to the outer, but shorter, narrower, and nearly always obscurely serrulate-denticulate on the margins, stamens about 2/3 the length of the perianth, filaments dilated below and united into a low cup at the base, anthers oblong, apiculate, ovary very inconspicuously crested with 3 low, rounded processes, style shorter than the filaments, stigma capitate, obscurely lobed, alveoli on seeds minutely roughened

The type of *Allium acuminatum* came from Vancouver Island, British Columbia, and the race occurring west of the Cascade Mountains is somewhat different from that of the interior. No satisfactory criteria for the taxonomic distinction of the two races having been discovered, however, a conservative treatment is indicated for the present.

DISTRIBUTION Dry slopes and plains, often in rocky places, Montana (?) to British Columbia, California, Arizona, Wyoming and western Colorado April to June

ARIZONA COLLECTIONS GRAHAM CO Four-Mile Creek, Galiuro Mts, 1500 m, May 13, 1924, *W W Eggleston* 19935 (US) COCHISE CO Campbell's Ranch, Azucar Mts, Apr 15, 1931, *M E Jones* 18385 (P) GILA CO mesa near

Rock and Rye creeks, 990-1050 m., May 15, 1933, Rose E Collom 85 (G, M, NY, US), Roosevelt Dam, May 17, 1919, A Eastwood 8732 (CA), May 8, 1929, Eastwood 16999 (CA), road to Amethyst Mine, May 11, 1929, Eastwood 17085 (CA), San Carlos Indian Reservation, May 9, 1935, A Nelson & Ruth A Nelson 1821 (G, M, RM, UC, US), Roosevelt Dam, 645 m., May 11, 1935, R H Peebles & F. G Smith 11496 (CA, P, SAC, US) PINAL CO Superior, Apr 30, 1927, G J Harrison 3971 (SAC, US), foothills of Santa Catalina Mts.,



Figs 5-8. Distribution of *Allium* in Arizona Fig 5 *A. acuminatum* Fig 6 *A. Gooddingii* (disk) and *A. glandulosum* (circle) Fig 7 *A. Kunthii* Fig 8 *A. cernuum* var. *neomexicanum* (disks) and *A. cernuum* var. *obturum* (circles)

Apr 27, 1930, R H Peebles 6876 (SAC, UA, US) COCONINO CO Williams, June 15, 1930, Jones 25174 (P) YAVAPAI CO 1 mi n of Yarnell, 1350 m, May 25, 1945, Frank Armer (WS), near Bangharts Ranch [now Del Rio], May 17, 1883, H H Rusby 840 (F, NY, US) MOHAVE CO Mt Dellenbaugh, 2100 m, June 6, 1929, Cottam, Stanton & Harrison 4153 (P)

### 6. *Allium Goooddingii* Ownbey, n sp

Bulb elongate, 1 cm thick, terminating a thick, *Iris*-like rhizome, inner coats whitish or pinkish, outer coats brownish, membranaceous, minutely striate with elongate cells in regular vertical rows, not fibrous-reticulate, but with persistent parallel fibers, leaves several, plane, obtuse, entire, 4 to 8 mm broad, much shorter than the scape, green at anthesis, scape 3.5 to 4.5 dm tall, flattened and narrowly winged toward the apex, bracts of spathe apparently 2, membranaceous, soon withering, umbel several-(18- to 23-) flowered, pedicels about twice the length of the perianth, elongate in fruit, rather stout and curved, perianth segments 8 to 10 mm long, elliptic, obtuse, entire, pink, withering in fruit, the midribs not thickened, stamens nearly as long as the perianth, filaments broadly dilated below and united into a cup at the base, anthers oblong, obtuse, ovary crestless, style subulate, about 5 mm long, stigma capitate, entire, capsule short-pyriform, broader than long, seeds with a rounded pustule in the center of each alveolus

*Allium Goooddingii* sp nov, bulbo elongato cm crasso, rhizomam crassum terminante, tunicis interioribus albidis roseisive, exterioribus fulvis membranaceis minute striatis cellulis elongatis in ordinibus rectis perpendiculariatis, fibris persistentibus parallelis, non fibroso-reticulati, foliis aliquot planis obtusis integris 4-8 mm latis scapo multo brevioribus, in flore viridibus, scapo 3.5-4.5 dm alto compresso ad apicem anguste alato, bracteis spathae duabus ut videtur membranaceis marcescentibus, umbella 18-23-flora, pedicellis segmentis perianthii plus minusve duplo longioribus, in fructu elongatis plus minusve crassis arcuatisque, segmentis perianthii 8-10 mm longis ellipticis obtusis integris roseis, in fructu marcescentibus nervis mediis non crassis, staminibus segmentis perianthii subaequalibus, filamentis basi late dilatatis coaliatisque, antheris oblongis obtusis, ovario non cristato, stylo subulato plus minusve 5 mm longo, stigmate capitato integro, capsula brevi-pyriformi latitudine quam longitudine majore, seminibus alveolis pustulis

*Allium Gooddingii* is the fourth member of the *A. validum*—*A. brevistylum*—*A. eurotophilum* alliance in North America. This group of species is marked by caespitose bulbs on thick, *Iris*-like rhizomes, striate bulb coats with elongate cells in regular vertical rows and persistent parallel fibers, broad, flat, blunt leaves, several in number and shorter than the scape, pink flowers, and crestless ovaries. The most convincing characters for the recognition of the four species are to be found in the shape and proportions of the flowering and fruiting parts. In size, habit, and vegetative characteristics, they are very similar. In the three species previously known, the perianth segments are narrowly lanceolate, being broadest well below the middle, those of *A. Gooddingii* are elliptic, broadest at the middle, and not tapering strongly upward. The stamens of *A. brevistylum* are about half as long as the perianth, those of *A. Gooddingii* about equal the perianth, and those of *A. validum* and *A. eurotophilum* are exserted. The style of *A. brevistylum* is short, rarely more than 3 mm long, and the stigma is distinctly 3-lobed. In *A. Gooddingii*, the style is about 5 mm long, the stigma capitate and not lobed, and in *A. validum* and *A. eurotophilum*, the style with its capitate unlobed stigma is well exserted and may be as much as a centimeter long. The capsules of *A. brevistylum*, *A. eurotophilum*, and *A. Gooddingii* are broader than long, their valves deeply emarginate, and the seeds correspondingly short and thick. Those of *A. validum* are oblong, usually much longer than broad, the valves scarcely emarginate and the seeds long and slender. *A. brevistylum* is found in the Rocky Mountains from Montana to Colorado, westward to Utah and Idaho. *A. Gooddingii* is known only from the White Mountains of Arizona. *A. validum* grows in the mountains from Washington to California, eastward to Nevada and western Idaho. *A. eurotophilum* is known only from Sierra San Pedro Martir in northern Lower California.

In Kearney & Peebles, *Flowering Plants and Ferns of Arizona*, *A. Gooddingii* was confused with *A. Plummerae*, which it resembles in size and habit. The rhizomes of that species, however, are not nearly so well developed, the cells of the outer bulb coats are obscure, the fibers form a conspicuous persistent reticulum, enclosing the bulb, and the ovary is conspicuously crested. *A. Plummerae* is not known from the White Mountains.

DISTRIBUTION ARIZONA APACHE CO steep, rocky slopes, Bonita Creek, White Mountains, July 23, 1912 L N Goodding 1233 (NY, RM, UA TYPE, US, WS) Known only from the type collection

7 *Allium glandulosum* Link and Otto, Icones Pl Rar 1 33, t 17 1828

*Allium rhizomatum* Wooton and Standley in U S Nat Herb Contrib 16 114 1913

Bulb ovoid, solitary, about 1 cm in diameter, with long, slender, bulbiferous rhizomes from base, inner coats whitish, outer coats grayish, membranaceous, with or without obscure cellular markings, sometimes striate with elongate cells in regular vertical rows, leaves usually 2, channeled, concave-convex in cross section, 1 to 2 mm broad, about equaling the scape in length, often conspicuously denticulate on the margin and nerves, green at anthesis, scape 1.5 to 3 dm tall, terete or somewhat ridged, solitary, spathe membranaceous, acuminate, breaking before anthesis into 2 separate or partially united, lanceolate, acuminate, 3- to 5-nerved, ultimately reflexed bracts, umbel few- (up to about 15-) flowered, pedicels unequal in length, slender to stout, about twice the length of the perianth, usually arcuate or flexuous, perianth segments 6 to 9 mm long, lanceolate, acute, entire, spreading, pink with a deeper pink midrib, or maroon (drying purple), withering in fruit, the midrib scarcely thickened, stamens shorter than the perianth, filaments broadly dilated below and united into a cup at the base, anthers oblong, obtuse, ovary crestless (?), style filiform, shorter than the perianth, stigma capitate, entire, alveoli on seeds not pustuliferous

*Allium glandulosum* was described originally from near Mexico City The flowers of the original collection were deep red, and this form is still frequently collected in central Mexico Northward, the flowers are paler, with the color confined mostly to the midrib, but such forms are also found throughout much of the range of the species

This species is distinguished from *A Kunthii*, its nearest ally, by the possession of long, slender, scaly rhizomes These are frequently not shown on herbarium specimens, however, and such incomplete specimens differ little from those of *A Kunthii* *A glandulosum* seems to be a species of meadows and moister habitats, whereas *A Kunthii* occurs on rocky outcrops, particularly of limestone

DISTRIBUTION Moist slopes and meadows, mountains of western Texas to southeastern Arizona, far south into Mexico August

ARIZONA COLLECTIONS COCHISE CO moist slopes and rocky places, Mule Mts., Aug., 1911, L N Goodding 993 (RM, UA), 1003 (UA)

8 *Allium Kunthii* G Don in Wernerian Nat Hist Soc Mem  
6 82 1827

*Schoenoprasum lineare* HBK, Nov Gen et Sp Pl 1 277, 1816, not *Allium lineare* L., 1753

*Allium scaposum* Benthon, Pl Hartweg, p 26 1840

Bulb ovoid, usually one of a cluster, about 2 cm in diameter, sometimes stipitate (short-rhizomatous) at base, but without long slender rhizomes, inner coats whitish or pinkish, outer coats grayish or brownish, membranaceous, with or without obscure cellular markings, sometimes striate with elongate cells in regular vertical rows, leaves several, channeled, concave-convex in cross section, 1 to 3 mm broad, shorter than the scape, sometimes denticulate on margin and nerves, green at anthesis, scape 1.5 to 3 dm tall, terete or somewhat ridged, often two or more produced successively from a single bulb, spathe membranaceous, acuminate, breaking before anthesis into 2 separate or partially united lanceolate, acuminate, 3- to 5-nerved, ultimately reflexed bracts, umbel few- to many-flowered, pedicels unequal in length, mostly slender, about twice the length of the perianth, rarely arcuate or flexuous, perianth segments 4 to 8 mm long, lanceolate, acute to acuminate, entire, spreading, white or pink, particularly on the midrib, withering in fruit, the midrib scarcely thickened, stamens shorter than the perianth, filaments broadly dilated below and united into a cup at the base, anthers oblong, obtuse, ovary crestless, style filiform, shorter than the perianth, stigma capitate, entire, alveoli on seeds not or very obscurely pustuliferous

DISTRIBUTION Dry, rocky, limestone soils, hills and mountains, western Texas to southeastern Arizona, far south into Mexico August and September

ARIZONA COLLECTIONS COCHISE CO Sulphur Springs, 1410 m., Aug., 1874, J T Rothrock 542 (G, US), Willcox, Aug 29, 1905, J J Thornber (UA), near Ft Huachuca, Aug., 1894, T E Wilcox 332 (US) PIMA CO Florida Canyon, Santa Rita Mts., Aug 20, 1932, G J Harrison, T H Kearney & C Hope 8912 (SAC, US), same locality, Sept 2, 1929, Kearney, W Hastings & H J Fulton 5993 (SAC), Santa Rita Mts., Sept 20-Oct 4, 1902, D Griffiths & J J Thornber 29 (UA, US)

9 *Allium cernuum* Roth in Roemer, Archiv Bot 1<sup>8</sup> 40 1798

Bulb elongate, usually one of a cluster, often stipitate (short-rhizomatous) at base, inner coats whitish, pinkish, or reddish, outer

coats grayish or brownish, membranaceous, minutely striate with elongate cells in regular vertical rows, leaves several, channeled, concave-convex in cross section or nearly plane, 1 to 6 mm broad, shorter than the scape, usually denticulate on the margin, green at anthesis, scape 1 to 5 dm tall, terete or ridged, particularly above, abruptly recurved near the apex, often two or more successively produced from a single bulb, spathe membranaceous, acuminate, usually caducous at anthesis, umbel few- to many-flowered, cernuous, pedicels slender, 2 or 3 times the length of the perianth, in fruit becoming stouter, elongating, and bending abruptly upward at the point of attachment, perianth campanulate, segments 4 to 6 mm long, elliptic-ovate, obtuse or obtusish, entire or nearly so, pink (in Arizona) or white, withering in fruit, the midrib not thickened, stamens exserted, filaments dilated below and united into a cup at the base, anthers orbicular to oblong, obtuse, ovary conspicuously crested with 6 distinct, flattened, entire or toothed processes, style filiform, exserted, stigma capitate, entire, alveoli on seeds not or obscurely pustuliferous

DISTRIBUTION Widespread in the mountainous and cool regions of temperate North America, across the continent in the north, and southward in the mountains to Georgia and northern Mexico Absent from the southern Cascade Mountains and Sierra Nevada In Arizona, two readily distinguishable geographical races are found

**9a *Allium cernuum* var *obtusum* Cockerell ex Macbride in Gray Herb Contrib N S, No 56, p 5 1918**

*Allium cernuum* f *obtusum* Ckll in Torr Bot Club Bull 18 173 1891,

*A cernuum* var *obtusum* Ckll in Jones, Contrib West Bot No 10, p 8, 1902, *nomen nudum*

*Allium recurvatum* Rydberg in New York Bot Gard Mem 1 94 1900,

*A nutans* Rydb, *ibid*, in discussion, not L

Inner bulb coats pink or bright red, leaves narrow, thick, concave-convex, scape lower, otherwise resembling var *neomexicanum*

This, the Rocky Mountain facies of the species, though clearly distinct from var *neomexicanum* in Arizona on geographical and trivial morphological criteria, may in other parts of its ranges pass into the typical phase of *Allium cernuum*

DISTRIBUTION Northeastern Arizona and New Mexico, northward through the Rocky Mountains at least to Montana July to October

ARIZONA COLLECTIONS APACHE CO Greer, 2700 m, Aug 24, 1920, W W Eggleston 17123 (NY), 20 mi w of Springerville on State Highway # 73, White Mts., July 19, 1940, R S Ferris 10146 (D), near Roof Butte, n end

of Tunitcha Mts, 2800 m, July 4, 1936, G H Goodman & L B Payson 2910 (CA, CLUC, G, M, NY, WS), Ryan Ranch, East Fork of White River, Oct 2, 1927, G J Harrison 4822 (SAC, US) NAVAJO CO  $\frac{1}{2}$  mi w of Lakeside Ranger Station, 1980 m, Aug 3, 1945, L M Puls 1680 (WS) GREENLEE CO head of Blue River, 7 mi s w of Luna, New Mexico, Aug, 1905, Walter Hough (US), 7 mi n of Hannagan Meadow, 2580 m, Aug 12, 1935, Kearney & Peebles 12426 (SAC, US) COCONINO CO Flagstaff, Aug 21, 1926, H J Fulton & D D Porter 2872 (SAC), Bellemont, Aug 13, 1884, M E Jones, (P), July 11, 1946, M Ownbey & G B Ownbey 3003 (WS), Navajo Ordnance Depot [at Bellemont], 2160 m, July 10-25, 1943, Paul Schallert (M, NY, WS)

9b *Allium cernuum* var *neomexicanum* (Rydberg) Macbride in Gray Herb Contrib N S, No 56, p 5 1918

*Allium neomexicanum* Rydb in Torr Bot Club Bull 26 541 1899

Inner bulb coats white or whitish, leaves broad, nearly plane, thin, scapes taller than in var *obtusum*

This is close to the typical phase of the species and may not prove distinguishable from it on any criterion except distribution. As pointed out above, however, it is clearly distinct from var *obtusum* in Arizona.

DISTRIBUTION Western Texas to southeastern Arizona and northern Mexico August to October

ARIZONA COLLECTIONS COCHISE CO Carr Peak, Huachuca Mts, 1950 m, Sept 11, 1940, L Benson 10512 (UA), Barfoot Park, Chiricahua Mts, 2400 - 2475 m, Oct 1, 1906, J C Blumer 1440 (D, G, M, NY, RM, UA, US), n side of Sugar Loaf, Chiricahua National Monument, Aug 25, 1939, O M Clark 8699 (UA), below Reef Mine, Huachuca Mts, 1950 m, Sept 9, 1944, R A Darrow, F W Gould, W S Phillips & L M Puls 1416 (UA),  $\frac{1}{2}$  mi above Cave Creek, Chiricahua Mts, 1500 m, Sept 6, 1944, Darrow, Phillips & Puls 1295 (M, UA), Barfoot fire station, Chiricahua N F, 2480-2670 m, Sept 22, 23, 1914, W W Eggleston 10787, 10825 (US), Cave Creek, 1600-1800 m, Sept 26-29, 1914, Eggleston 11002 (G, US), Ramsey Canyon, Huachuca Mts, Aug 23, 1910, L N Gooodding 783 (WS), Carr Peak, Huachuca Mts, Aug 25, 1910, Gooodding 830 (G, NY, UA, WS), Cave Creek, Chiricahua Mts, Sept 21, 1929, G J Harrison & T H Kearney 6137 (G), Huachuca Mts, 1800 m, Sept 3, 1903, M E Jones (D, P, US), Ramsey Canyon, Huachuca Mts, Sept 30, 1929, Jones 24760 (CA, G, NY, P, UCLA), Chiricahua Mts, 1965 m, Oct 14, 1943, Kearney & Peebles 15120 (SAC), Garden Canyon, Huachuca Mts, Oct 23, 1926, Peebles, Harrison & Kearney 3424 (SAC), Ramsey Canyon, Huachuca Mts, 1860 m, Sept 25, 1916, Forrest Shreve 5026 (UA, US), Cave Creek, Chiricahua Mts, 1500 m, Aug 23, 1933, Shreve 6345 (UA), PIMA CO Santa Rita Mts, Oct 7, 1934, Kearney & Peebles 10512 (CA, P, SAC, UC), Mt Baldy, Santa Rita Mts, Sept 5, 1932, Peck & Douglas (UA), Madera Canyon, Santa Rita Mts, Aug 29, 1926, Peebles & Harrison 2952 (SAC), Santa Rita Mts, Sept 20-Oct 4, 1902, D Griffiths & J J Thornber 90 (UA, US)

SANTA CRUZ CO 2½ mi up trail at end of White House Canyon road, Santa Rita Mts, 2100 m., Sept. 30, 1944, F W Gould 2626 (WS)

10 *Allium nevadense* S Watson in King, Geol Expl 40th Par 5 351, pl 38, fig 1-3 1871

Bulb ovoid, often proliferating by stalked basal bulbils, inner coats pinkish, obscurely cellular, outer coats grayish or brownish, some of them with distinct, contorted cellular reticulations; leaf 1, terete above the tubular sheath, up to 2 or more times the length of the scape, green at anthesis, the terminal portion often coiled and frequently broken off, scape rather slender, 3 to 10 (usually less than 5) cm tall, terete, bracts of spathe 2 or 3, usually somewhat united at base, ovate to lanceolate, acuminate, spreading or reflexed, 3- to 7-nerved; umbel few- to many-flowered, pedicels up to twice the length of the perianth, slender, constricted, but not stipitate below a swollen base, perianth segments 8 to 12 mm long, whitish or pinkish with deep pink midribs, narrowly to broadly lanceolate, acute to acuminate, entire, spreading to somewhat recurved at the tip, becoming papery in fruit; stamens a little more than 1/2 to 4/5 the length of the perianth, filaments broadly dilated and united at the base, anthers oblong, obtuse, deep purple or yellow, ovary conspicuously crested with 6 distinct, narrow, thin, entire or toothed processes, style included, stigma capitate, entire, seeds with minutely roughened alveoli

DISTRIBUTION Sandy, gravelly, or occasionally clay soils, on the desert, from southern Idaho and southeastern Oregon through Utah and Nevada to northwestern Arizona April

In Arizona, typical *A. nevadense* is known only from the following collection, most of the material from that state belonging to var *cristatum*

ARIZONA COLLECTION MOHAVE CO Pagumpa, Apr 20, 1894, M E Jones 5082 (P)

10a. *Allium nevadense* var *cristatum* (S Watson) Ownbey, comb nov

*Allium cristatum* S Wats in Am Acad Arts and Sci Proc 14 232 1879

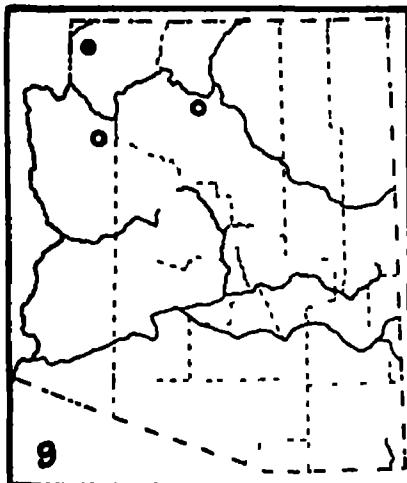
Reticulations of the outer bulb coats obscure or imperceptible, otherwise not differing significantly from the species

DISTRIBUTION Extreme southwestern Utah, northwestern Arizona, and adjacent California April to June (?)

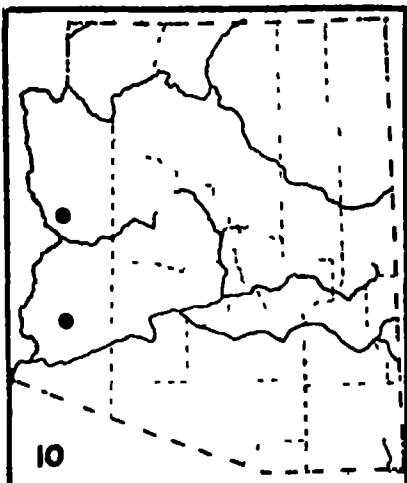
ARIZONA COLLECTIONS COCONINO CO Grand Canyon of the Colorado River, June, 1884, ex herb Lemmon (UC, US) MOHAVE CO Ft Mohave—Grand Canyon, Apr., 1884, J G Lemmon 3142 (G), Peach Springs, June, 1884, Lemmon 3302 (G), between Hackberry and Peach Springs, 1260 m., May 2, 1941, H D Ripley & R C Barneby 3395 (CA)

11. *Allium Parishii* S Watson in Am Acad Arts and Sci  
Proc 17 380 1882

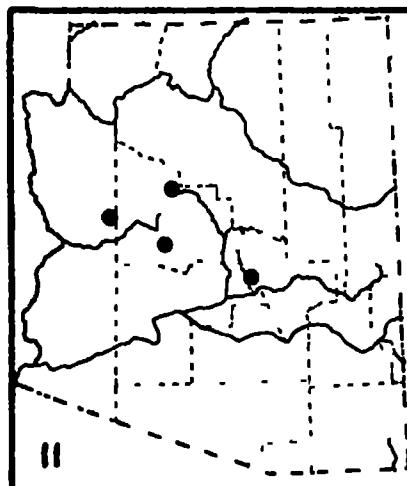
Bulb ovoid, sometimes proliferating by stalked basal bulblets,  
inner coats pinkish, without markings or showing only obscure  
cellular detail under high magnification, outer coats grayish,  
membranaceous, without cellular reticulations, leaf 1 (2 noted



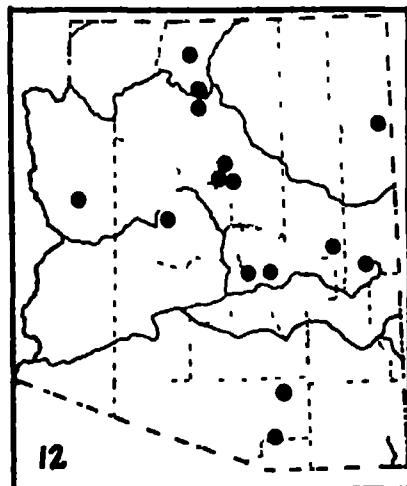
9



10



11



12

Figs 9-12 Distribution of *Allium* in Arizona Fig 9 *A. nevadense* (dunk)  
and *A. nevadense* var *cristatum* (circles) Fig 10 *A. Parishii* Fig 11  
*A. Bigelowii* Fig 12 *A. Palmeri*

on 1 individual), about twice the length of the scape, terete above the tubular sheath, green at anthesis, scape 5 to 17 cm tall, terete, stout, bracts of spathe 2, distinct to base or nearly so, ovate, acuminate, spreading, 3- to 7-nerved, umbel few- to many-flowered, pedicels usually shorter than the perianth, rather stout, swollen at the base, perianth segments 12 to 15 mm long, pale pink, narrowly elliptic-lanceolate, acute, entire, becoming papery and abruptly spreading distally in fruit, stamens about half the length of the perianth, filaments dilated below, anthers short-oblong, obtuse or obscurely umbonate, ovary crested with 6 distinct, flattened, entire or toothed processes, style included, stigma capitate, entire or 3-lobed (rarely trifid), seeds usually only 1 or 2 developing in a capsule, alveoli minutely pustulose-roughened

DISTRIBUTION Rocky slopes at middle elevations in the desert mountains of western Arizona and adjacent southeastern California April

ARIZONA COLLECTIONS MOHAVE CO Chimchuevis, 1140-1200 m., Apr 21, 23, 1903, M E Jones (D, M, P, US) YUMA CO Kofa Mts., Apr 19, 1937, A A Nichol (UA)

The specimens from the Kofa Mountains have trifid stigmas, but otherwise agree closely with other collections of this species including the type

12 *Allium Bigelovii* S Watson in King, U S Geol Expl 40th Par 5 487, pl 38, fig 8, 9 1871

Bulb subglobose, inner coats whitish, cellular, outer coats firm, chestnut brown, with regular, vertically elongate, rectangular or sometimes contorted cellular reticulations, leaves 2, apparently channeled, 1 to 3 mm broad, exceeding the scape in length, green at anthesis, scape usually less than 5 (to 10) cm tall, terete, rather stout, bracts of spathe 2, distinct to base or nearly so, ovate-lanceolate, acute to acuminate, spreading, 5- to 9-nerved, umbel relatively few-flowered, pedicels rather stout, less than twice the length of the perianth, perianth segments 8 to 13 (usually 10 to 12) mm long, pinkish, particularly at the tip and along the midrib, lanceolate, acute, entire (sometimes with a coarse tooth or two), somewhat spreading at the tip, becoming papery and rather rigid in fruit, stamens about 2/3 the length of the perianth segments, filaments dilated below, anthers oblong, obtuse, ovary conspicuously crested with 6 flattened, entire to coarsely toothed processes, these commonly united in pairs across the septa, style included, stigma capitate, seeds 1 or 2 developing in a capsule, alveoli smooth

*Allium Bigelovii* is a very distinct species without obvious affinity with any other North American species of the genus

DISTRIBUTION Southwestern New Mexico, northwestward across central Arizona to Mohave County April and May

ARIZONA COLLECTIONS GILA CO. 10 mi s of Tonto Basin, Apr 14, 1939, Crooks, Darrow & Arnold (UA) YAVAPAI CO. Walnut Grove, Apr 28, 1876, E Palmer 532 (M, NY, US), Ash Fork, May, 1883, H H Rusby 839, 8015 (NY, US) MOHAVE CO. 1 mi w of Burro Creek, Apr 20, 1938, Crooks & Darrow (UA), chalky soil, at the Yavapai County line, 1½ mi w of Burro Creek 450 (600) m., Apr 18, 1941, Lyman Benson & R A Darrow 10906 (CLUC, P)

13 *Allium Palmeri* S Watson in King, U S Geol Expl 40th Par 5: 487, pl 37, fig 10, 11 1871

Bulb ovoid, commonly producing slender basal rhizomes up to 1 dm long terminated by rather large bulblets, inner coats whitish or pinkish, outer coats grayish or brownish, some cellular-reticulate, meshes vertically to transversely rectangular or irregular, with usually all of the walls minutely very sinuous, leaves usually 2, channeled, tapering from a broad base, 1 to 6 mm broad, shorter than the scape, green at anthesis, scape 1 to 3 (usually less than 2) dm tall, terete, very rarely more than 1 from a single bulb, bracts of spathe 2, distinct, ovate to lanceolate, acuminate, membranaceous, at length reflexed, 3- to 5-nerved, umbel usually with rather few flowers, pedicels about twice (or less) the length of the perianth, rather stout, becoming strongly flexuous and at least the outer deflexed in fruit, perianth segments 6 to 10 mm long, broadly to narrowly lanceolate, acute to acuminate, entire, "rich purple" (drying pink) or paler, becoming rather rigid in fruit, tips often involute and sometimes developing a pronounced keel, stamens shorter than the perianth, filaments dilated and united into a cup at the base, anthers oblong, obtuse, ovary conspicuously crested with 6 distinct, flattened, irregularly papillose-denticulate processes, style included, stigma capitate, entire, alveoli on seeds with a minute pustule in the center

The slender rhizomes from the base of the bulb distinguish this species from *Allium bisceptrum*, the bulb of which bears a cluster of basal bulblets Often, however, the rhizomes have been lost from herbarium specimens, so that it cannot be determined that *A. Palmeri* is constant in this respect

DISTRIBUTION Mountains of northwestern New Mexico, Arizona, southwestern Utah, and eastern Nevada May and June

ARIZONA COLLECTIONS APACHE CO Defiance Plateau, 9 mi w of St Michaels, 2280 m, June 10, 1937, *R H Peebles & E G Smith* 13455 (CA, P, SAC, US), White Mts., 1938, *W L Schroeder* (UA) NAVAJO CO Lakeside, June 9, 1928, *G J Harrison* 5474 (SAC) GILA CO Barnhart Pass, Matzatzal Mts., 1500-1710 m., no date, *Rose E Collom* 194 (M, NY), Rose Creek, Sierra Ancha, June 23, 1929, *Harrison, T J Kearney & H J Fulton* 5963 (SAC), Reno Pass, Matzatzal Mts., 1170 m., May 12, 1935, *Peebles & Smith* 11579 (SAC) PIMA CO Santa Catalina Mts., Apr., 1881, *J. G Lemmon* 296 (G), Santa Rita Mts., 1800 m., May 29, 1881, *C G Pringle* (G, M, US), June 6, 1884, *Pringle* (NY, US) COCONINO CO Munds Park Adm Site, Coconino National Forest, 2100 m., June 20, 1923, *Floyd E Betts* 6 (UA), Grand View Trail, Grand Canyon, June 16, 1916, *A Eastwood* 5719 (CA), north rim, Grand Canyon, June 22, 1933, *Eastwood & J T Howell* 923 (CA, US), near Jacobs Lake, June 24, 1933, *Eastwood & Howell* 1116 (CA), Mormon Lake, June 4, 1890, *M L Jones* (P), Kaibab, June 18, 1929, *Jones* 26596 (CA, D, M, P), Flagstaff, July, 1891, *D T MacDougal* (US), about Mormon Lake, 1800 m., June 7, 1898, *MacDougal* 53 (G, NY, UC, US), on road from Flagstaff to Sedona, June 6, 1929, *Mrs Chas W McKelvey* (CA), El Tovar, Grand Canyon, May 25, 1907, *W A Seitchell* (UC), Grand View, Grand Canyon, Aug 12, 1916, *J J Thorner* 8397 (UA), Grand Canyon, June 9, 1901, *Lester F Ward* (NY, US), south rim, Grand Canyon, 44 mi w of El Tovar, 1950 m., June 14, 1941, *A F Whiting* 1072 (SAC) YAVAPAI CO Fort Whipple, May, 1865, *Elliott Coues & E Palmer* 328 (M), Prescott, May 21, 1919, *Eastwood* 5802 (CA), May 14, 1926, *Harrison* 3996 (SAC), May, 1883, *H H Rusby* 842 (G, US) MOHAVE CO Sawmill Canyon, Hualpai Mts., May 7, 1927, *Selma Braem* (D), May 12, 1940, *Braem* 791 (D), Hualpai Mts., 1350 m., May 18, 1939, *Lasater* (UA)

# THE AMERICAN PRESS AND THE RHINELAND CRISIS OF 1936<sup>1</sup>

WINSTON B THORSON  
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Remilitarization of the German Rhineland in 1936 was the most significant of Adolph Hitler's diplomatic victories in the half decade between his rise to power in 1933 and the Czech crisis in 1938. When, on March 7, 1936, thirty thousand German troops were dispatched into the Rhineland area, Germany violated both the 1919 Treaty of Versailles, which created the demilitarized Rhine zone, and the 1925 Treaty of Locarno, which confirmed it.<sup>2</sup> The sudden unilateral action repudiated a basic element of the peace structure created after the First World War, challenged the French European hegemony built upon that peace settlement, and threatened the whole European *status quo*.

It is now generally agreed that the Rhineland episode was the last time when decisive action by France and its associates could have stopped Hitlerite Germany without war.<sup>3</sup> The crisis

<sup>1</sup> This is the first of two articles on American press opinion in the pre-World War II period. The second, entitled "The American Press and the Munich Crisis in 1938," will appear shortly. This investigation was supported in part by The State College of Washington Research Fund.

<sup>2</sup> *Treaty of Versailles*, Article 42 "Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the East of the Rhine." Article 43 "In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind are in the same way forbidden." *Treaty of Locarno*, Article 2 "Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other. This stipulation shall not, however, apply in case of a flagrant breach of articles 42 or 43 of the said Treaty of Versailles, [by] an unprovoked act of aggression [or] by reason of the assembly of armed forces in the demilitarized zone."

<sup>3</sup> E.g., Winston S Churchill, *The Gathering Storm* (Boston, 1948), p. 195 "Lost irretrievably [was] the last chance of arresting Hitler's ambitions without a serious war"; "The Memoirs of Eduard Benes," *Nation*, CLXVI (June 19, 1948), 680 "The Western democracies could then have stopped Germany and its criminal policies in time." The best account of the crisis is found in the companion volumes, Arnold J Toynbee, *Survey of International Affairs*, 1936, pp. 252-370, and Stephen Head and John W Wheeler-Bennett, *Documents on International Affairs*, 1936, pp. 1-120 (both volumes, Royal Institute of International Affairs, London, 1937). A useful chronology of events appears in Whitney H Shepardson, *The United States in World Affairs*, 1936 (New York, 1937), pp. 268-80. Briefer coverage, each with bibliography of materials available at time of writing, in Frederick I. Schuman, *Europe on the Eve of the Crisis of Diplomacy, 1933-1939* (New York, 1939), pp. 202-20; Arnold Wolfers, *Britain and France between Two Wars* (New York, 1940), *passim*.

may well be considered the dividing point between the Europe of post-World War I and the Europe of pre-World War II. It provided a clear-cut test of strength between the defenders and the opponents of the order of things established in 1919. Although the former held all the legal rights and seemingly all the political, diplomatic, and military advantages, they suffered a diplomatic disaster that left the way open to still greater fascist bloodless victories and finally to the Second World War.

This study is an attempt to describe the reaction in the United States to this highly significant European crisis.<sup>4</sup> It is a digest of the editorial commentary of some fifty representative newspapers from all sections of the country and of the dozen major periodicals and journals of opinion of that time. It seeks to contribute, first, to the definitive study of the background of the Second World War, and, second, to the growing literature on the role of public opinion in American diplomatic history.<sup>5</sup> In a democratic system, any public policy—foreign or domestic—depends upon the ultimate sanction of public opinion. So, at the present time, when the United States is deeply involved in European affairs—with new scenes and new actors, but with a pattern basically similar to that of the 1930's—a study of American attitudes in the pre-war era, out of which current conditions evolved, should be of both historical and contemporary interest and value.

The editorial views of the American press are, of course, only one measure of public opinion for so recent a period as the 1930's, and there are differing judgments as to both the effectiveness of the press in molding and the accuracy of the press in reflecting

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C. Grove Haines and Ross J. S. Hoffman, *The Origins and Background of the Second World War* (New York, 1947), pp. 390-405; Oscar G. Darlington, "Germany's War for Hegemony of Europe and the World 1933-1938," in *The Origins and Consequences of World War II*, ed. by Floyd A. Cave (New York, 1948), pp. 367-68, 381-84. The Nuremberg trial documents add little on the Rhineland coup. See *Nazi Conspiracy and Aggression* (Washington, 1946), I, 440-44, VI, 951-52, 974-76, 1019.

<sup>4</sup> Brief appraisals of American opinion on the crisis will be found in Shepardson, *op. cit.*, pp. 41-63, and in Charles A. Beard, *American Foreign Policy in the Making, 1932-1940* (New Haven, 1946), pp. 171-76.

<sup>5</sup> For the basic work in the field, see Thomas A. Bailey, *The Man in the Street. The Impact of American Public Opinion on Foreign Policy* (New York, 1948), and *A Diplomatic History of the American People* (New York, 1946), each containing excellent bibliographies. For an exhaustive bibliography, see Bruce L. Smith, Harold D. Lasswell, and Ralph D. Casey, *Propaganda, Communication, and Public Opinion* (Princeton, 1946), pp. 274-96.

that opinion.<sup>6</sup> Surely no sampling of editorial viewpoints can result in the quantitative analysis of public opinion that the scientific polling processes accomplish.<sup>7</sup> Such sampling, however, does allow a qualitative appraisal of that opinion and some understanding of the reasoning behind the views held. Historically, that should be of at least equal value and often greater interest than the cold percentage figures of an opinion poll.<sup>8</sup>

The American press, even that part of it which saw the true implications of the crisis for Europe, regarded the affair as something of no direct American concern, and the press fully reflected the gross oversimplifications in American thinking about international affairs and America's world responsibilities which were characteristic of the decades between the World Wars. But all except the most frivolous of the editorial commentary demonstrated the gradual awakening of Americans to the complicated nature of world affairs and to the developing challenge to their deep-lying pacifism and isolationism. There were a number of the papers and journals, mainly from the East and far West, that made an honest attempt to grasp the realities of the European scene and to understand the issues involved in the Rhineland coup. In fact, some of the viewpoints expressed were extremely acute. But often the best of the commentators, through their laudable desire for objectivity or their intense hope for peace or their very grasp of the multiple aspects of the problem, failed to see the

<sup>6</sup> E.g., "Within broad limits, the newspaper must reflect the predilections and prejudices of its subscribers, . . . [but] there is in fact some distinction between public opinion and press opinion" (Bailey, *Man in the Street*, p. 305). "The daily press is doubtless the most significant mirror of opinion and the most important force shaping that opinion" (Frederick L. Schuman, *International Politics* [New York, 1941], p. 269).

<sup>7</sup> For summaries of the polls on foreign affairs of the period, see George Gallup and Claude Robinson, "American Institute of Public Opinion—Surveys 1935-38," *Public Opinion Quarterly*, II (1938), 387-89, and Philip E. Jacob, "Influence of World Events on United States 'Neutrality' Opinion," *Public Opinion Quarterly*, IV (1940), 48-65.

<sup>8</sup> "Questions most vital to the historian have often not been asked. The deliberate simplicity of a survey question is only too often at variance with the complexity of history" James R. Thayer, "The Reactions of American Public Opinion to Certain International Crises 1935-1947" (unpublished thesis, University of Denver, 1947), p. 5.

This study has been confined mainly to the unsigned editorial commentary of the various papers and periodicals, in the belief that these reflect more adequately the opinions of the press and public than do the syndicated columnists and "experts" who were beginning to be carried in the American papers at this time.

matter simply and clearly, and they were led into sterile, involved speculation or into the forlorn belief that Hitler's move could have constructive results Only the extreme isolationists had the simple and clear—and quite mistaken—program for America in 1936 This study demonstrates again that an appraisal of the wisdom of a judgment or an action must be made against the background of its own time and conditions This approach makes clear that the American people in the mid-1930's were not all quite the innocents or the fools in international affairs that they are sometimes alleged to have been

## II

There was some anticipation in the United States of a German move to remilitarize the Rhineland The general atmosphere in international affairs, inspired by Japanese aggression in the Far East, the Italian adventure in Ethiopia, the German withdrawal from the League of Nations and subsequent rearmament, had conditioned Americans to such diplomatic strokes Specifically, there was awareness of Hitler's intense aversion toward the Franco-Russian military alliance, which was ratified by the French Chamber of Deputies on February 27, 1936,<sup>10</sup> and of his insistence that the pact released Germany from the obligations of the Treaty of Locarno, which had underwritten "permanent" demilitarization of the Rhineland<sup>10</sup>

Ratification of the Franco-Soviet pact was interpreted variously in the American press Several papers noted the close similarity and the parallel logic between the new alliance and the Franco-Russian combination of the 1890's, which was likewise con-

<sup>10</sup> For text, see *Documents on International Affairs, 1935* (London, 1936), I, 116. The Franco-Soviet treaty of mutual assistance had been signed on May 2, 1935, the coping-stone of the network of treaties that made up the French "security system" It was opposed by the Right in France and was not presented for ratification until the Sarraut government replaced Laval's in early 1936 It was ratified by the Senate on March 12, and ratifications were exchanged with Russia on March 27 Every effort had been made to keep it textually consistent with the League of Nations Covenant and the Treaty of Locarno It was negotiated after Germany had refused to adhere to a general eastern guarantee treaty, an "eastern Locarno," which had been promoted first by French foreign minister Barthou in 1934

<sup>11</sup> Germany had so interpreted the pact as early as May 25, 1935 (*Documents, 1935*, I, 264) The Nuremberg trial documents show that the Nazi military began planning for reoccupation of the Rhineland at the time of signature of the Franco-Russian pact in 1935 (*Nazi Conspiracy and Aggression*, I, 440-41)

ceived as a necessary balance to German power and a vital guarantee of peace.<sup>11</sup> Others saw it as "tangible and definite evidence of the drift back to the old system of balance of power" and as "alien to the basic idea of the League of Nations."<sup>12</sup> The *Christian Science Monitor* noted the significant change in conditions—"History has been riding hard"—between the time of negotiation and of ratification of the treaty originally emphasis had been placed upon its consistency with the Covenant and with Locarno and its possibility of expansion into a general eastern guarantee pact, now, a year later, it was "an alliance in anticipation of war, not in expectation of peace."<sup>13</sup> The *Cleveland Plain Dealer*, on the other hand, saw the pact as making war less likely in Europe, for Hitler would be forced now to seek better relations with France<sup>14</sup> to counter the danger of another two-front war for Germany.<sup>15</sup> And, finally, on the use to which Hitler might put the ratification, the *Richmond Times-Dispatch* showed remarkable foresight:

There is always the chance that Hitler and his advisers will fortify and garrison the Rhineland. It will be recalled that Britain and France reaffirmed last spring their intention of maintaining the demilitarization of the Rhineland. [But] Britain is well occupied with the Italo-Ethiopian situation, and the same is true of Italy, another signatory of the [Locarno] treaty. France could hardly be expected to attack Germany unaided, if an attempt were made at remilitarization. As a consequence of the Franco-Soviet pact, Germany seems on the verge of resuming *Die Wacht Am Rhein*. A combination of shrewd diplomacy and good luck have placed the Reich in much the strongest position it has occupied since 1918.<sup>16</sup>

Some expectation of the Rhineland *coup* there was, then, in the United States, but quite unforeseen were the speed and the boldness of the stroke when on March 7 there took place almost simultaneously dispatch of German troops into the Rhine zone, announcement of it to the other four Locarno signatories, and explanation of the action by Hitler to the Reichstag. These sought to present the world with, first, the *fast accompli* of a remilitarized

<sup>11</sup> *Christian Science Monitor*, Feb 24, *Providence Journal*, Mar 1, *New Republic*, LXXXVI (Feb 26), 58, *Newsweek*, VII (Mar 7), pp 16-17. All dates here and hereafter, 1936 unless indicated otherwise.

<sup>12</sup> *Boston Herald*, Mar 1, *Providence Journal*, Mar 1

<sup>13</sup> Feb 29

<sup>14</sup> The day after ratification of the pact, Hitler authorized a statement that he sought only good relations with France. *Documents, 1936*, p 20. The *New York Herald-Tribune* (Mar 2) termed this "a very perplexing gesture."

<sup>15</sup> Mar 1

<sup>16</sup> Mar 5

Rhineland justified by the inconsistency of the Franco-Soviet pact with Locarno, and, second, an elaborate program for "real pacification of Europe" through new non-aggression and guarantee pacts, the creation of a tri-nation demilitarized zone on the French and Belgian as well as the German side of the border, and the re-entry of Germany into the League of Nations—all dependent upon recognition of "Germany's equality of rights and the restoration of her full sovereignty over the entire territory of the German Reich"<sup>17</sup> From startled Paris came vigorous denial of the legality of the move and flat refusal to consider any German proposals unless the demilitarized zone was immediately re-established. But Paris—together with Brussels—instead of sending troops into the Rhineland to drive out the Reichswehr, called for and obtained immediate convocation of the League of Nations Council to consider sanctions and a simultaneous meeting of the Locarno powers to discuss action<sup>18</sup> The French decision not to

<sup>17</sup> These points were further defined a twenty-five year non-aggression pact signed by Germany, France, Belgium, and probably the Netherlands, guaranteed—as was Locarno—by Britain and Italy, a treaty among the western nations designed to safeguard against air attack, non-aggression pacts between Germany and the states bordering Germany on the east, reconsideration of Germany's colonial rights, the separation of the Covenant from the Treaty of Versailles *Documents, 1936*, pp 35-45

"In retrospect, it can be seen that the chance for punitive action against Hitler was lost by this decision to appeal to the League Council France seemingly had every legal right to take immediate military steps Article 44 of the Treaty of Versailles declared German violation of the Rhine zone would be "regarded as a hostile act calculated to disturb the peace of the world," and Article 4 of the Treaty of Locarno allowed France and Belgium to take "immediate action" if there was an "assembly of armed forces in the demilitarized zone" and promised the military assistance of Britain and Italy, requiring only that the League Council be informed of the situation at once and that the parties be guided in subsequent action by the Council's recommendations For the legal aspects, see Wolfers, *op cit*, pp 42-51 Winston Churchill (*op cit*, pp 194-95) comments, "If the French Government had mobilized the French Army, there is no doubt that Hitler would have been compelled to withdraw France alone was at this time quite strong enough to drive the Germans out of the Rhineland, [and] her own action, once begun, would certainly have drawn [aid] from Great Britain" Eduard Benes (*op cit*) states, "The French inaction showed inexplicable weakness and frivolous lack of foresight This fatal error was the direct cause of the collapse and tragedy of France" Frederick Schuman (*Europe on the Eve*, p 215) calls this appeal to the League without prior use of force "a conclusion as disastrous for France in its final consequences as any ever taken by a French Government in modern times [It] carried with it the certainty of the collapse of all French power on the Continent" For French public opinion during the Rhineland crisis, based primarily on newspaper materials, see the excellent study of Charles A. Micaud, *The French Right and Nazi Germany, 1933-1939 A Study of Public Opinion* (Durham, 1943), pp 67-106

employ force at once was due in part to London's declaration that Britain would aid France and Belgium only in the event of actual attack upon them, that it believed Germany's Rhineland move should be considered by the League Council, and that Hitler's proposals should not be summarily rejected.<sup>19</sup>

First press reaction in the United States was agreed that the coup made "the most sensational news from Europe in years" and marked "a definite turning point in post-war history from which one path may lead to war as surely as the other may lead to peace."<sup>20</sup> It was agreed, too, that Hitler's purpose was to undermine further the postwar treaty system and that the reasons for the action at this time were (as summarized by the *New Republic*) the Franco-Russian treaty and its threat of German containment, the Italo-Ethiopian war with its distraction of Europe's attention, expectation of a victory in the approaching French parliamentary elections for the Popular Front coalition, anti-Nazi and pro-Russian, and internal restlessness and economic and financial difficulties within Germany.<sup>21</sup> There was, however, considerable division over the merits and the meaning of Hitler's action.

One section of the American press viewed the Rhineland occupation with serious alarm. These papers labeled it "a new record for arbitrary action," a "blunt return to the method of blood and iron," an "act of defiance," and a "deliberate attempt to destroy the foundations of international organization."<sup>22</sup> They held Hitler's declaration that the Franco-Soviet pact had released Germany from its Locarno obligations as "unfounded" and "unconvincing" on the grounds that the Franco-Russian pact had been kept carefully within the letter of the League Covenant and of Locarno, that Germany had refused to sign a general "eastern Locarno," that ever since Locarno the French had the intention of adding a complementary guarantee arrangement with Russia, that France had offered to submit the allegation of Locarno violation to the international court at The Hague, and that Hitler invalidated his contention by repudiating the Locarno obligations.

<sup>19</sup> For French, Belgian, and British texts, see *Documents, 1936*, pp 45-56, 61-77.

<sup>20</sup> *Omaha World-Herald*, Mar 9.

<sup>21</sup> *New Republic*, LXXXVI (Mar 12), 152.

<sup>22</sup> *Washington Post*, Mar 8, *New York Times*, Mar 8, 9, *Chicago Daily News* (quoted in *Literary Digest*, CXXI, Mar 21, p 14), *Nation*, CXLII (Mar 18), 335.

toward Belgium, a country in no way connected with the Franco-Russian alliance<sup>23</sup> Hitler's offer of new guarantee pacts and a tri-country demilitarized zone as the basis for European peace was termed a stroke of "monstrous humor," acceptance of which would mean that "force repudiates what and when it will . . . Who can believe that a frightened Europe will trustfully accept

the sincerity of a peace scheme presented by a marching army?" It was pointed out, too, that Hitler had omitted mention of a German guarantee pact with Soviet Russia, and this omission, it was held, indicated that Hitler really sought time in which to complete his rearmament and Western neutrality while he pursued his aggressive aims against the Soviet Thus, this "new Locarno [that] Hitler proposes would be no guarantor of peace"<sup>24</sup> Noted, too, was the special significance of repudiation of the Locarno treaty, the negotiation of which in 1925 had produced "a brief era of international good feeling," and the irony of the fact that Hitler's policy of force was succeeding in regaining for Germany the position which the Stresemann policy of negotiation and conciliation had failed to obtain<sup>25</sup> But the *New York Times* believed that Hitler had here overreached himself

What stands out in the crisis forced by Hitler is not the immorality of his action so much as its needlessness and stupidity France and England could, no doubt, in time have been brought round to consent to the abolishing of military restrictions in the Rhineland [But now Hitler] has instantly solidified European opinion against him [in] a spontaneous union of nations determined to uphold the sanctity of treaties so long as they are in vigor<sup>26</sup>

The other section of the American press was, however, considerably more tolerant toward the German action These stressed especially that more than the legal aspects of the case must be

<sup>23</sup> *Richmond Times-Dispatch*, Mar 10, *Providence Journal*, Mar 10, *Baltimore Sun*, Mar 14, *Portland Oregonian*, Mar 9 American legal opinion on Hitler's use of the Franco-Russian treaty to justify the action was that, though Germany may have had a technical case in claiming incompatibility of Locarno and the pact, the argument was used as an excuse for action in itself wholly illegal See articles by Charles G Fenwick, Quincy Wright, Charles F Ranson, and Robert B Stewart in *American Journal of International Law*, XXX (Apr., July, Oct.), 26-70, 486-94, 712-14

<sup>24</sup> *Washington Post*, Mar 8, *Baltimore Sun*, Mar 8, *St Louis Post-Dispatch*, Mar 17, *Des Moines Register*, Mar 14, *Tacoma News Tribune*, Mar 9, *Portland Oregonian*, Mar 9, 10, *Los Angeles Times*, Mar 10, *New Republic*, LXXXVI (Mar 18), 152

<sup>25</sup> *Richmond Times-Dispatch*, Mar 10, *Kansas City Star*, Mar 10

<sup>26</sup> Mar 9, 10, 14 Not one of the papers that held this viewpoint, it should be noted, advocated sending French troops into the Rhineland

considered "It is clearly not the treaty machinery which one must examine, rather, it is the political actualities which stand behind it," and it was asserted that the political actualities went far toward explaining the Rhineland reoccupation. The "shameful" Treaty of Versailles, "obtained from prostrate Germany under duress," no longer deserved to be termed the "law of Europe." The attempt to maintain inflexibly the Versailles "fundamental principle that the conquerors were forever right and the vanquished forever wrong" was shortsighted statesmanship."<sup>27</sup> Said the *Christian Century*

To regard the remilitarization of the Rhineland as merely an indefensible breach of treaty obligations is to miss the point entirely. Germany under Hitler is a very dangerous nation but that fact does not make it either possible to maintain or wise to attempt to maintain defenses whose moral foundations have so completely crumbled.<sup>28</sup>

The Seattle *Times* called Hitler's coup "no more than a belated reassertion of Germany's right to that rich portion of the Fatherland

certainly not [an] unnatural reaction to the recent promulgation of the agreement between France and Soviet Russia", the Los Angeles *Times* found historical parallels for the repudiation of intolerable treaty terms, the *Review of Reviews* sought to clarify the picture for Americans by imagining a situation in which the United States, defeated in war by Mexico and a coalition of powers, was forever forbidden maintenance of soldiers and defenses in Texas; and the Memphis *Commercial Appeal* wondered whether anybody was "honestly disturbed over the movement of a few thousand German troops from one place to another in Germany."<sup>29</sup>

Strong feeling was expressed by many papers that France had invited the Rhineland reoccupation by an irreconcilable and vindictive attitude toward Germany, thus creating "a situation wherein Germany is now demanding without price concessions which she yesterday would have purchased." In a "ridiculous paradox," France defended the Versailles and Locarno commitments as fixed and sacred, though it defaulted on war-debt pay-

<sup>27</sup> New York *Herald Tribune*, Mar 8, New York *World Telegram*, Mar 17, New York *Wall Street Journal*, Mar 9, Chicago *Tribune*, Mar 10, Memphis *Commercial Appeal*, Mar 9, Denver *Rocky Mountain News*, Mar 10, Seattle *Post-Intelligencer*, Mar 11

<sup>28</sup> LJII (Mar 18), 422-24

<sup>29</sup> Mar 9, 10, Mar 13, XCIII, Apr., p 66, Mar 17

ments to the United States<sup>20</sup> and undermined the effectiveness of the League of Nations Covenant by refusing to apply honestly the sanctions voted against Italy for the attack upon Ethiopia.<sup>21</sup>

Many papers—including some of those that viewed the *coup* with alarm and condemned Hitler's method—placed some hope in Hitler's proposals for a general European settlement. Some welcomed them simply as making for delay, postponing a military clash, and possibly providing a temporary *modus vivendi* for working out the Rhineland crisis.<sup>22</sup> Others were more sanguine, believing that they might force France and Britain to discuss differences with Germany and that out of such discussion might come an over-all settlement, a revival of the League of Nations, and real European peace.<sup>23</sup> The St. Louis *Post-Dispatch* wanted Hitler's proposals "thoroughly explored," for this might be the "opportunity to repair the mistakes that have endangered European peace for 17 years." Nazi excesses have beclouded the issue, but it is the injustice done to the German people by the treaties that helped bring the Nazis to power.

. . . If there ever was a time for a new deal in Europe, it is now.<sup>24</sup> The Omaha *World Herald* was hopeful in spite of the incongruity of the German dictator as a man of peace, for "strange things happen in history."<sup>25</sup> Even conviction that Hitler only pretended to talk peace while plotting war—probably on Russia—did not dissuade the San Francisco *Chronicle* from believing that Hitler's proposals could be made "a new basis of European peace . . . by accepting [them] . . . with the consideration that Russia be included. This is exactly what Hitler does not want, but he would hardly dare refuse. If

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<sup>20</sup> The Hearst press continued to reiterate that failure of France and Britain to pay war debts to the United States invalidated their charges against Hitler for repudiating Locarno and precluded any American sympathy for them (e.g., Seattle *Post-Intelligencer*, Mar 20, 23).

<sup>21</sup> *Christian Science Monitor*, Mar 11, New York *World Telegram*, Mar 17, Detroit *Free Press*, Mar 9, Milwaukee *Journal*, Mar 10, Louisville *Courier-Journal*, Mar 9, 10, 18, Memphis *Commercial Appeal*, Mar 13, Spokane *Spokesman-Review*, Mar 11, Olympia *Daily Olympian*, Mar 18, Portland *Oregonian*, Mar 10, *Review of Reviews*, XCIII (May), 46.

<sup>22</sup> New York *Herald Tribune*, Mar 10, New York *Wall Street Journal*, Mar 11, 13, Cleveland *Plain Dealer*, Mar 9, Memphis *Commercial Appeal*, Mar 10, Omaha *World Herald*, Mar 11, Des Moines *Register*, Mar 8, Los Angeles *Times*, Mar 15.

<sup>23</sup> Washington *Post*, Mar 11, 17, *Christian Science Monitor*, Mar 10, 11, Louisville *Courier-Journal*, Mar 10, Spokane *Press*, Mar 16, Seattle *Times*, Mar 16, 21 Allan Nevins, "Defiance on the Rhine," *Current History*, XLIV, Apr, pp. 56-60.

<sup>24</sup> Mar 8

<sup>25</sup> Mar 9

he agrees he will be caught in his own trap and his trick scheme will become a real basis for peace"<sup>36</sup>

There was, finally, one immediate reaction to the Rhineland reoccupation that was practically universal it was an affair in which the United States had no direct interest and from which it should remain aloof<sup>37</sup> Not only the rabidly isolationist Hearst and similar papers, which spelled out their warnings literally in capital letters,<sup>38</sup> but for many others, this was the chief response to Hitler's act Admonitions were unequivocal "Insistence that the United States follow a strictly neutral course is universal", "The sentiment for peace at any price save gross national dishonor has seldom been so prevalent in the United States", America must "solemnly resolve, not merely to stay out, but to count the cost of staying out and pay it", "America once more has reason to thank God for the Atlantic ocean"<sup>39</sup> The Springfield *Republican* pointed out that Hitler had also violated the 1921 peace settlement between Germany and the United States, which had incorporated that part of the Versailles Treaty that defined the demilitarized Rhine zone,<sup>40</sup> thus, Hitler had "run a sword right through our own treaty It is quite alright There are times when it is best to ignore what is going on"<sup>41</sup> And the St Louis *Post-Dispatch* commented on the "rare good fortune" that the United States Senate in 1919 had refused to approve the Wilsonian arrangement by which this country was pledged to aid France

if Germany menaced her again Had it been enacted, this country would be involved today in the crisis caused by Hitler's action France's attitude undoubtedly would be more belligerent if she knew America was

"Mar 21

"Lonely voices were those of Albin E Johnson (*Los Angeles Times*, Mar 15) "In another World War, America still will be involved If the League bloc shows signs of winning then we will do just as we did in 1914-16, grow rich providing munitions and other necessities If the tide turns against France and England, we would inevitably fight," and David Lawrence (*Seattle Times*, Mar 16) "Rigid neutrality may seem plausible" in an Italo-Ethiopian war, but it would appear different if it were "Britain and France in possible conflict once more with Germany"

<sup>36</sup> E g, *Seattle Post-Intelligencer*, Mar 11, *Washington Herald*, Mar 11

<sup>37</sup> *Atlanta Constitution*, Mar 10, *Boston Herald*, Mar 11, *San Francisco Chronicle*, Mar 10, *Portland Oregonian*, Mar 10, *Spokane Press*, Mar 11

<sup>38</sup> The German-American treaty did not incorporate the basic articles, 42-44, on the Rhineland (see above, notes 2 and 18), but it did include article 180, "All fortified works, fortresses and field works [in the Rhine zone] shall be disarmed and dismantled"

<sup>39</sup> Quoted in *Omaha World Herald*, Mar 15

pledged to come to her defense The result would be, not an American contribution to peace abroad, but an actual incentive to war"

### III

The American press approved the submission of the Rhineland problem to the special London session of the Council of the League of Nations that began on March 12 Even some who recalled its failure in the Manchurian and Ethiopian affairs regarded the appeal to the League hopefully Contrasts were drawn with 1914, when there was no machinery for discussion of a major political dispute<sup>43</sup> Said the New York *Times* typically

The time has been when the Rhineland incident would have brought a swift ultimatum from Paris with the threat of instant war But now judgment is to be suspended and time taken for an appeal to the League of Nations, [which] may often falter and disappoint, but it is continually proving that it is the best hope of all who wish peace to prevail<sup>44</sup>

A few, however, expected only worthless "resolutions [and] ex-postulations" and "dodging of the real issue" from the Council,<sup>45</sup> and the chances of a constructive solution of the crisis by the League were viewed dimly by those that tried to look further ahead The *Nation*, for example, saw three possible lines of action against Germany a preventive war, League sanctions, or revival of the pre-1914 type of military alliances Least likely, it believed, was a preventive war, for it would be impossible to persuade the French and British public that "a war to prevent war would be any less destructive than a war to save civilization" Best would be effective League sanctions, but these would not be applied, because Britain and Italy were "unalterably opposed"<sup>46</sup> So the powers would "probably fall back on a system of alliances," signaling "the end of any pretense of collective security, a return to power politics [and] the balance of power concept," "which

<sup>43</sup> Mar 10

<sup>44</sup> *Christian Science Monitor*, Mar 16, *Washington Post*, Mar 14, *Milwaukee Journal*, Mar 17, *Tacoma Daily Ledger*, Mar 27, *San Francisco Chronicle*, Mar 10, *Los Angeles Times*, Mar 14 There was little differentiation made between the League Council session (March 12-24) and the concurrent London meeting of the Locarno powers France, Britain, Belgium, and Italy (March 19-20) For League discussions, *Documents, 1936*, pp 81-120, 151-54

<sup>45</sup> Mar 9, 11

<sup>46</sup> *Seattle Times*, Mar 11, *Cleveland Plain Dealer*, Mar 17

<sup>47</sup> The *Providence Journal* (Mar 12) added that imposing economic sanctions on Germany was precluded by the central economic position of the Reich in Europe, "any development adversely affecting her trade would inevitably damage the economy of all Europe"

might be temporarily effective in staving off hostilities," but which ultimately meant "almost certain war"<sup>47</sup>

In the appraisal of the policies of the major powers at London, concentration was on those of the two western democracies To be sure, the positions of Italy and Russia were remarked upon, the benefit accruing to Italy, "itself an aggressor and defiant treaty violator," by Hitler's diverting attention from Ethiopia and the Mediterranean, and the fears felt by Russia over the probability of Hitler's turning eastward if the Rhineland coup succeeded<sup>48</sup> It was understood, however, that the initiative for any action lay with France and Britain and that their policies were far from parallel There was an almost equal balance of approval and of disapproval of their respective positions

A few papers unqualifiedly supported the French demands for condemnation and punishment of Germany These praised France for being "as scrupulous of Locarno obligations as Germany has been reckless" and for willingness to submit the French case to "a cool judicial review" They held that any weaker stand would deliver the continent over to German hegemony The final opportunity for the League of Nations to recover respect, they claimed, lay in support of the French demands<sup>49</sup> But even some of the friends of France had little hope because of the highly moralistic stand taken by French representatives at London The Washington Post urged upon the French, "who have always regarded themselves as shrewd political realists, a clean break with the past" in exploring conciliatory paths with Germany But the Wall Street Journal believed that the French were being realistic in a quite different pattern "The true objective of French diplomacy [at London] is not sanctions, certainly not war, but a permanent offensive and defensive alliance with Great Britain and a revival

<sup>47</sup> CXLII (Mar 25), 368-69 Others saw more positive results as possible from alliances and pacts E g., the New York *Herald Tribune* (Mar 16) believed a revival of the Stresa idea of 1935, with Russia included and with Germany granted equality, might provide the basis for stability in Europe, and the Providence Journal (Mar 18) hoped that in "the course of time" guarantee pacts would become effective through the restraining influence of "world-wide public opinion" upon a potential treaty-breaker

<sup>48</sup> *Newsweek*, VII (Mar 14), 9-10, Washington Post, Mar 14, Kansas City Star, Mar 19 Harold Denny, New York Times correspondent in Moscow, termed the Soviet Union "the strongest advocate of the collective security concept embodied in the League" (New York Times, Apr 20)

<sup>49</sup> Washington Post, Mar 12, 14, Baltimore Sun, Mar 23, Boise Idaho Statesman, Mar 14, Portland Oregonian, Mar 18

of the old [Triple] Entente"<sup>50</sup> On the other hand, some papers interpreted the French position in wholly opposite terms They found the French call for an appeal on the Rhineland issue to the World Court as specious, for a judgment on legal grounds would have to favor France, they pointed again to France's contrasting mildness toward the Italian aggression in Ethiopia, they suggested that French diplomacy was dictated by the pressures of the domestic parliamentary elections One even intimated that the parallel policies of France and Russia at London bolstered Hitler's claim that "the mutual defense pact between France and Russia [was] one of planned provocation", and another warned the French that simple condemnation of Germany by the League Council as a treaty violator without decision on subsequent action might be a "moral victory," but would leave "the League and the Locarno nations in an untenable position"<sup>51</sup>

Likewise divided was American reaction to the British role Some saw Britain in "the unenviable position" of the vitally important third party seeking to reconcile the French and the Germans, as working for an "unsentimental and realistic" solution, as weighing not only "the admitted violation but the cost to every European nation of punishing Germany for the violation", as following a course of "sane statesmanship"<sup>52</sup> In contrast, there were those who saw British policy as only delaying a final showdown; as giving undue credence to "Hitler's vague talk of new peace plans", as contributing further "to destroy what little remains of the world's faith in [treaty] signatures", as indicating that Britain "would not hesitate to 'sell out'" its allies in the same style as "the Anglo-German naval agreement [of 1935] broke the Stresa common front", and as being responsible for "ignominious surrender to both Hitler and Mussolini, the wrecking of the League, the alignment of Europe and Asia into new balance-of-power war alliances, and the concentration of every

<sup>50</sup> Mar 10, Mar 20

<sup>51</sup> Richmond *Times-Dispatch*, Mar 12, 17, Cleveland *Plain Dealer*, Mar 14, 18, Cincinnati *Enquirer*, Mar 15, Kansas City *Times* (quoted in the Detroit *Free Press*, Mar 15), Memphis *Commercial Appeal*, Mar 19, New Orleans *Times-Picayune*, Mar 11, San Francisco *Chronicle*, Mar 19, *Christian Century*, LIII (Mar 18), 424

<sup>52</sup> Providence *Journal*, Mar 26, Detroit *Free Press*, Mar 11, Milwaukee *Journal*, Mar 10, Louisville *Courier-Journal*, Mar 14, St Louis *Post-Dispatch*, Mar 20

energy of Western civilization on preparations for the war which a little later threatens to destroy it."<sup>68</sup>

The London discussions resulted within a week's time in a League Council judgment and a set of proposals by the Locarno powers. The League Council on March 19 found that, as France and Belgium claimed, Germany had committed a breach of both Versailles and Locarno. It adjourned on March 24, however, leaving implementation of the judgment to the Locarno powers.<sup>69</sup> These four—France, Belgium, Britain, and Italy—also on March 19 produced a comprehensive plan for resolving the crisis: a compromise between the French and the British positions. The four reaffirmed their obligations under Locarno and agreed that a united stand—even to joint military planning—should be maintained. On the immediate Rhineland question, Germany should promise no reinforcement of its forces in the Rhineland, allow occupation of a new, narrower German Rhine zone by an international contingent—probably British and Italian—and submit to the Permanent Court of International Justice the charges against the Franco-Soviet pact for a decision binding on all parties. Then the four powers would negotiate with Germany on revision of the status of the Rhineland and the items in Hitler's March 7 proposals. On long-run European pacification, the four powers promised to sponsor a world conference through the League to deal with armament limitation, improvement of international economic relations, and the more effective functioning of the League's machinery.<sup>70</sup> On March 24, however, Berlin refused to consider the Locarno powers' proposals as a basis for negotiation, but promised to make new proposals shortly.<sup>71</sup>

The League stricture on the German coup was accepted by the American press as inevitable, in the words of the *Baltimore Sun*, "The Council could not escape denouncing an attempt at violent unilateral revision of an agreement freely made, unless all pretense

<sup>68</sup> *Cleveland Plain Dealer*, Mar. 12; *Portland Oregonian*, Mar. 18; *San Francisco Chronicle*, Mar. 10; *Los Angeles Times*, Mar. 10; *Living Age*, CCCL (May), 189, gave eight reasons for Britain's refusal to support France in the Rhineland crisis: ignorance, anti-French sentiment, pro-German sentiment, heavy financial investments in Germany, isolationism, pacifism, military weakness, belief in the imminent internal collapse of the Third Reich.

<sup>69</sup> For the League resolution, *Documents*, 1936, pp. 119-20.

<sup>70</sup> For the four-power proposal, *ibid.*, pp. 127-33.

<sup>71</sup> For the German note, *ibid.*, pp. 157-59.

of authority by the League of Nations is to be abandoned"<sup>57</sup> The Locarno powers' plan was much more fully commented upon, and the proposals for long-run reconstruction were received very favorably. They were termed "a greatly conceived project," "the most constructive suggestion that has been made in Europe for many months," "an opportunity to bring about large-scale revision of the long-dangerous European situation," a chance "to clear the ground preliminary to erecting an effective peace structure in Europe," which might "well prove a decisive turning point in postwar history."<sup>58</sup>

The Locarno powers' program for dealing with the immediate crisis was received, however, with misgivings, and no surprise was evident that Hitler rejected it. Two of the conditions it sought to impose upon Germany were judged impossible: occupation of a new Rhine zone by an international force would appear to Germans as an attempt to establish "foreign military control in the Rhineland" and as "a restraint upon Germany's sovereignty even more flagrant than that which Hitler had ended," and an appeal to the World Court<sup>59</sup> would require that the Germans place themselves under jurisdiction of one of the distrusted agencies of the 1919 peace machinery.<sup>60</sup> The full partnership of Italy in the four-power discussions was regarded as indicating cynical acceptance of Italy's African pretensions in return for its cooperation against Germany.<sup>61</sup> The paper threat of joint military preparations and possible forceful action by the four powers if Germany re-

"Mar 20

<sup>57</sup> *New York Times*, Mar 21, *New York Wall Street Journal*, Mar 21, *Washington Post*, Mar 22, *Baltimore Sun*, Mar 21, *Cleveland Plain Dealer*, Mar 21, *Los Angeles Times*, Mar 24. There was some dissent. The *New York Herald Tribune* (Mar 20) believed that only "a temporary truce" could result from such a conference. Anne O'Hare McCormick (*New York Times*, Apr 12) held that "danger lies in reopening simultaneously . . . every moot question in Europe . . . The people of Europe shiver whenever a new international conference is proposed." And Nathaniel Peffer ("Too Late for World Peace?" *Harper's* CLXXIII [June], 24) wrote, "Fifteen, or even ten, years ago such a concentrated effort might have laid a stable foundation in Europe. It would have little prospect of success now . . . [with] chasms . . . [and] rancors too far aggravated to be laid by diplomatic conversations."

<sup>58</sup> The *Des Moines Register* (Mar 23), mistakenly believing that the appeal was to be made to the older Hague Court of Arbitration, pointed out the wisdom of this supposed decision so as not to try to force Germany before "the World Court, . . . a League of Nations instrument."

<sup>59</sup> *New York Times*, Mar 20, *Richmond Times-Dispatch*, Mar 21, *St Louis Post-Dispatch*, Mar 26.

<sup>60</sup> *Richmond Times-Dispatch*, Mar 21, *Time*, XXVII, Mar 30, p 25.

fused to come to terms was judged by the *Christian Century* to be of little importance in view of the unenforceability of the Treaty of Locarno, itself just "such an alliance for the specific purpose of checking possible German aggression"<sup>62</sup> And the *Nation* found a great omission.

The memorandum contains not a word regarding the Soviet Union, which Hitler deliberately omitted from the [March 7] list of countries with which he was willing to conclude non-aggression agreements. Neglect of the Eastern problem must ultimately mean collapse of all efforts to restrain Hitler, and must open the West as well as the East to the threat of Nazi aggression.<sup>63</sup>

Finally, there were some prepared already to cast up the final reckoning. "The probability is that nothing will be done," scoffed the Boston *Herald*, "Germany emerges victor," announced the Baltimore *Sun*, on account of democratic "shilly-shally, mutual jealousies, suspicions, rivalries, cross-purposes and shallow opportunism totalitarian, anti-liberal, authoritarian governments [have] won a great victory," declared *Commonweal*.<sup>64</sup>

#### IV

There was more exchange of comprehensive "plans"—one presented by Germany on March 31, the second by France on April 8. Both were able statements which demonstrated the vast chasm between the two powers on the Rhineland issue and the virtual impossibility of a compromise settlement of basic differences.

The German plan of March 31—promised at the time of rejection of the Locarno powers' proposal—differed little in tone or content from the Hitler statement of March 7.<sup>65</sup> It reiterated the reasons for the Rhineland action, it reasserted Germany's pacific intentions, it restated the German claim to equality among the powers. Then, in a nineteen-point program, with acceptance of the Rhineland *coup* the basis for all discussion, it called for a twenty-five-year security arrangement to replace Locarno, reciprocal military restrictions on the French-Belgian-German borders, an air pact, German non-aggression agreements with the states on its eastern frontier, and German return to the League under the

<sup>62</sup> LIII (Apr 1), 484

<sup>63</sup> CXLII (Apr 1), 401

<sup>64</sup> Mar 20, Mar 27, XXIII (Mar 27), 589-90

<sup>65</sup> See above, pp 237-38

earlier specified conditions; it added proposals for Franco-German reconciliation through government surveillance of the respective presses and educational systems to avoid "everything which might be calculated to poison the relationship between the two peoples" and for a new international tribunal to interpret these various agreements. It accepted the idea of an ultimate conference for considering disarmament and economic relations.<sup>66</sup>

The French plan of April 8 was both an answer to the German proposals and a restatement of the French conception of a peaceful—and static—Europe. It declared the German design "definitely insufficient" and a contribution "more apparent than real", it maintained anew that only in respect for international treaties and pledges could the basis for peace be laid, it questioned the integrity and the intentions of the German government. Then, in a twenty-five-point program, reproducing many ideas contained in similar French attempts since the First World War to underwrite the *status quo*, it called for a network of European mutual-assistance pacts—to be distinguished from Hitler's non-aggression pacts—which would create a regional security association of the kind recognized in the League Covenant. This would be directed within the framework of the League by a European Commission with permanent military forces at its disposal. Each state in the European association would bind itself to respect existing territorial arrangements, and no demand for modification of these would be made for twenty-five years. Establishment of this system would allow for effective attack upon the problems of armaments and economic dislocation.<sup>67</sup>

The American press approached this phase of the crisis with much less expectation of a constructive outcome than had been shown at its beginning. In fact, considerable disillusionment and censoriousness marked its reaction to the mounting evidence of irreconcilability of the opposing sides in Europe. There was actually a more friendly reception for the German plan than for the French. Some, although less than with the March 7 proposals, found this German plan praiseworthy, "straightforward and skillful," "a reasonable basis for peace," a far more equitable proposal than [that] made by the Locarno Powers," "a thoroughly

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<sup>66</sup> For text, *Documents, 1936*, pp 183-92

<sup>67</sup> For text, *ibid*, pp 197-210

constructive document" deserving "serious consideration."<sup>68</sup> Others were less confident, but believed that nothing would be lost in dealing with these advances "seriously, if cautiously."<sup>69</sup> But still others pointed out, for one thing, that the March 31 memorandum, taken by itself, might appear "eminently reasonable, generous, and idealistic," but when it was judged against the background of repeated Nazi denunciations of international commitments, there was reason for skepticism. For a second thing, it was maintained by these papers that the real purpose of the German plan was to undermine further the Anglo-French diplomatic partnership, for, whereas the proposals might appear as a credible basis for negotiations to the British, they would be completely unacceptable to the French.<sup>70</sup> The San Francisco *Chronicle* summarized "Hitler's peace proposal [demands as] the very first basis of the European new deal that France accept unconditionally, as preliminary to all other discussion, exactly that which France unconditionally refuses." And the Boise *Idaho Statesman* believed that, though "France may be condemned by the world for her rejection of Germany's offer, Hitler's flagrant violation of the Locarno agreement has put France wisely on her guard. If Hitler is not curbed now, his remilitarization of the Rhineland will give him prestige, power and the courage to further dominate the European picture, menacing the peace of the entire world."<sup>71</sup>

Such insight and approval of the French position—a good deal stronger than in the early phases of the crisis—did not extend to the April 8 French proposals.<sup>72</sup> Walter Lippmann pointed out that the complex network of mutual-assistance treaties proposed by the French would be quite superfluous if the League of Nations operated effectively and if the nations trusted each other, and he suggested that the crisis was basically one of faith between peoples and governments which could not be solved by new complicated

<sup>68</sup> Washington Post, Apr 3, Richmond Times-Dispatch, Apr 2, Cleveland Plain Dealer, Apr 3, Louisville Courier-Journal, Apr 2, 4, St Louis Post-Dispatch, Apr 2

<sup>69</sup> New York Times, Apr 2, 3, New York World Telegram, Apr 2, Milwaukee Journal, Apr 3

<sup>70</sup> Boston Herald, Apr 1, Providence Journal, Apr 3, Baltimore Sun, Apr 2, Memphis Commercial Appeal, Apr 3, Los Angeles Times, Apr 2, Time, XXVII, Apr 13, p 24

<sup>71</sup> Apr 2, Apr 5

<sup>72</sup> See above, p 250

international machinery"<sup>13</sup> The *Portland Oregonian* believed that "unless the diplomats work out an agreement such as is now proposed by the French," Europe would ultimately, after "the second world war or the third world war or the fourth world war," see the emergence of a "military state powerful enough to enforce its will upon Europe" However, with other papers, it could not see that this revival of the United States of Europe idea was relevant to settlement of the pressing current problem<sup>14</sup> Some found constructive the general points of the French program on economic cooperation and an international police force Some believed it of value to have indicated the specific terms upon which France would allow Germany the equality that Hitler was demanding Several interpreted the French proposals as signifying the "enormously important" acceptance by France of the fact that "the Versailles Treaty epoch was at an end"<sup>15</sup> The detractors, however, were more numerous and more emphatic They found the French proposal "almost entirely negative," "nothing less than fantastic, . . . ridiculous," "a diplomatic stump speech," a setting of "logic against practicality," which "not even Paris expects anyone to take seriously" They declared it only another in the endless series of designs emanating from Paris intended to "protect the status quo," to "freeze the map of the entire continent," and to hold Europe "under French influence" With the obeisance toward the League stripped away, it was "merely a general alliance against Hitler"<sup>16</sup> The Hearst papers denounced France as an object of universal distrust, constantly seeking new alliances, new groupings of friendly and supporting powers, and involving herself in conflicting loyalties and inconsistent pledges      **FRANCE IS PRECIPITATING WAR IN EUROPE**      France is allying herself with Communist Russia      **INVITING COMMUNISM** for herself and **INFILCTING COMMUNISM** on other nations      France is the disturber of the peace      the Judas among peoples, the Cain among nations"

<sup>13</sup> In *Tacoma News Tribune*, Apr 10

<sup>14</sup> Apr 6, *New York Times*, Apr 8, *Washington Post*, Apr 10

<sup>15</sup> *New York Times*, Apr 8, 12, *New York Herald Tribune*, Apr 10, *Christian Science Monitor*, Apr 10, *Washington Post*, Apr 10, *Denver Rocky Mountain News*, Apr 10, *Los Angeles Times*, Apr 10, *Literary Digest*, CXXI (Apr 18), 13

<sup>16</sup> *Providence Journal*, Apr 10, *Baltimore Sun*, Apr 9, *Richmond Times-Dispatch*, Apr 10, *Cleveland Plain Dealer*, Apr 6, *Louisville Courier-Journal*, Apr 8, *San Francisco Chronicle*, Apr 9, *Newsweek*, VII (Apr 18), p 15, *Time*, XXVII (Apr 13), p 25, *Christian Century*, LIII (Apr 22), 588, *Nation*, CXLII (Apr 22), 498

"*Seattle Post-Intelligencer*, Apr 5

The possibility of action against Germany had become by mid-April virtually nil, and the exchanges between the capitals resolved themselves into a series of desultory moves over a period of more than a year to bring Germany actually to negotiate. By July, 1936, France was willing to accept the changed status of the Rhineland as the basis for that negotiation, but there was still no result.<sup>78</sup> Long before these dreary exchanges had run their course, the American press had ceased to show interest and was concentrating in foreign affairs upon liquidation of the Ethiopian conflict, Japanese activity in north China, and the Spanish civil war, and more and more on the presidential campaign and other domestic matters.<sup>79</sup> The scattered and inconsequential comment on these almost irrelevant later negotiations was paralleled, however, by a serious final appraisal of the significance of the Rhineland affair.

There were a few who wanted to believe that the Rhineland action had weakened the Nazi regime financially or that it had strengthened the unified front of the anti-German powers.<sup>80</sup> Most, however, recognized that this was a diplomatic disaster for the forces of peace and order in Europe. Many of those who had earlier denounced French intransigence and had hoped for constructive results from Hitler's "plans" now saw a great deal more clearly. They realized that the "remilitarized Rhineland [was]

<sup>78</sup> See *Documents, 1936*, pp. 211-86, and *Survey of International Affairs, 1937* (London, 1938), I, 324-82. Steps in liquidating the Rhineland crisis: (1) a British "questionnaire" to Berlin (May 6) asking clarification of certain points in the German memorandum, this was never answered, (2) an invitation by France, Britain, and Belgium (July 23) to Germany and Italy for a five-power meeting on the Rhineland question, this was tentatively accepted, but the meeting never took place, (3) British notes to the other Locarno powers (Sept. 18, Nov. 4, 19) concerning a conference, (4) disassociation of Belgium (Oct. 14) from its obligations under Locarno by announcement from Brussels, (5) an Anglo-French report to the League Council (May, 1937) that the two nations still expected "a satisfactory solution", (6) a British request (July, 1937) for appointment of a technical commission to survey the problem—tantamount to final shelving of the matter.

<sup>79</sup> There was some notice of the successful Turkish effort to obtain through League channels revision of that part of the Treaty of Lausanne which forbade fortification of the Dardanelles (*Convention of Montreux, July 20, 1936, Documents, 1936*, pp. 643-47). It was contrasted favorably with Hitler's method in the Rhineland. The *Christian Science Monitor* (July 23) declared that Montreux, though a diplomatic victory for Turkey, was "in a wider sense, . . . a triumph for every country which prefers law to war. [It gave] proof that nations can win adjustment of their conflicting claims and [of treaty] provisions without recourse to the methods of *fait accompli*."

<sup>80</sup> *Portland Oregonian*, Apr. 9, *New York Times*, July 5, Sept. 19, 23

one of the strategical keys, and perhaps the most crucial of them, to the mastery of Europe." So long as the Rhine zone had existed, Hitler had not dared contemplate action in eastern Europe, for a move in that direction would have meant the sweep of French armies into the Rhine and Ruhr areas. But now, Hitler could look toward Austria, Czechoslovakia, the Balkans, the Baltic, the Ukraine, and Russia, with the assurance of French immobility in the West. The whole treaty settlement of 1919 was severely undermined, and the French security system was greatly weakened—with the Little Entente and Poland likely to move rapidly into the German orbit, with Soviet Russia skeptical of its new French alliance, and with Britain tending toward ever more conciliatory gestures toward Germany.<sup>81</sup> The *Los Angeles Times* believed that Hitler's major aim in fomenting the crisis had been the destruction of the Anglo-French *entente* and that this had been fully achieved. *Current History* maintained that the vacillation in British foreign policy was caused by doubt in the British governing circles "whether to side with communism or fascism" on the continent. The *Nation* and the *New Republic* saw "development of a well-organized world fascist front" and the totalitarian diplomatic victories as decisive events in "an international class war," the significance of which was only dimly perceived in the West—especially in Britain. The *Nation* warned that Britain's ambiguous position could make of "the inevitable war with Germany" simply "a conflict of empires," in which American sympathies would be alienated and not even "moral and economic support" to Britain forthcoming.<sup>82</sup>

There was concern too over the meaning of the crisis for the League of Nations and the whole conception of collective security. Even in this sad demonstration, the League had its American apologists. A writer in *Current History* found that, if the League had failed in "the small things"—the aggressions in Manchuria, Ethiopia, and the Rhineland—it had avoided war among the great powers, beside which all else was "insignificant in comparison."<sup>83</sup> And the *New York Herald Tribune* commended "the wonderful

<sup>81</sup> Providence *Journal*, Mar. 28, Baltimore *Sun*, Apr. 10, Cleveland *Plain Dealer*, Mar. 23, Seattle *Times*, Apr. 24, *New Republic*, LXXXVI (Apr. 8), 238-41; *Nation*, CXLI (June 27), 829-30; *Review of Reviews*, XCII, May, p. 46; *Literary Digest*, CXXI, May 23, p. 13.

<sup>82</sup> Apr. 5, XLIV, Sept., p. 24, LXXXVII (July 18), 61, CXLIII (Oct. 24), 464.

<sup>83</sup> William S. Woods, "Has the League Failed?" XLIV (June), 75-76.

ponderosity of [League] procedural methods, a cushion of delay and debate apparently capable of absorbing the shock of all save the most extreme of crises"<sup>84</sup> But the critics were more numerous and they were severe Nathaniel Peffer held that this crisis had only further emphasized the fundamental nature of the League's deficiencies It had been used to forward the national interests of those nations that had been dominant since the First World War, and it had never come to grips with the root causes of war Instead, "there was exclusive preoccupation with machinery and procedure, [a] child like faith in conferences, a faith founded on the belief that if only men or nations with mutually exclusive and irreconcilable ends could be brought to sit around the same table their conflicts [would] resolve in the flames of their passion"<sup>85</sup> The *Christian Science Monitor* found the failing of the League well underscored by the Rhineland fiasco

It is the error of putting the enforcement of peace ahead of the achievement of justice It is the error of attempting to coerce nations from war before attempting to rectify the conditions which bring about war Until the nations are willing to right international grievances by peace, they will find it difficult, if not impossible, to prevent nations from attempting to right even supposed grievances by war Enduring peace cannot precede justice, it will accompany justice<sup>86</sup>

The *New Republic* warned that it was "unrealistic to suppose that this is a good moment to demand a new and world-wide league, founded on the Kellogg pact, in a world of governments such as exist today in Germany, Italy and Japan"<sup>87</sup> The complete disillusionment over the possibility of keeping the peace through organization among governments may be measured by the number that found more hope in such nebulous factors as the "still fresh" memory of the last war, the resolute determination of "the common people of Europe" that there would be no war, and the absence of two clear-cut opposing alliance systems of the 1914 type<sup>88</sup>

Nathaniel Peffer perhaps represented the final American evaluation of the crisis most adequately Germany's military reoccupation of the Rhineland only crossed the

<sup>84</sup> Mar 20

<sup>85</sup> *Harper's*, CLXXIII (June), 24

<sup>86</sup> July 29

<sup>87</sup> LXXXVII (May 20), 33-34

<sup>88</sup> *New York Times*, Apr 16, *Christian Science Monitor*, Apr 6, *Nation*, CXLII (June 27), 829-30, *Catholic World*, CXLIII (June), 273

t's and dotted the i's What was latent before is now visible on the surface to the naked eye, even to eyes so long willfully blinded Now we are admittedly back to the old order from which we never really departed, the old balance of power, rival alliances, armament races Now only the dubious resources of diplomacy can avail to avert war Peace can be maintained if compromises can be improvised that evade irreconcilable conflicts of interest and ambition, or if a balance of power can be struck and the scales held absolutely even, so that all sides are immobilized by fear Diplomatic virtuosity and the periodic intervention of providence are the sole safeguards now of peace<sup>59</sup>

## V

The most apparent characteristics of American opinion during the Rhineland crisis were, first, the persistent belief that the affair was not of direct concern to America, and, second, a developing cynicism and hopelessness about international commitments, international good will, and international peace On the first, in spite of the few lonely warnings that the United States was inextricably involved in the affairs of western Europe, the vast majority assumed that America was simply a spectator—not a participant or even an umpire—at these events It was clearly manifest from the briefer notice and the more superficial nature of comment on the crisis that this isolationism was most strongly entrenched in the Middle West and in the South<sup>60</sup> On the second, although these were brief flashes of hope after each of the always vague proposals for a general European conference, pessimism mounted when the basic irreconcilability of the contending parties was comprehended, and it deepened as the crisis resolved itself into another fascist diplomatic victory It occurred to few of the Americans of that day that their sense of frustration and disillusionment over these events was tied in closely with their unyielding determination to maintain for their country a position of irresponsibility in international affairs

A number of the newspapers—the *New York Times*, the *Christian Science Monitor*, the *Washington Post*, the *Richmond Times-Dispatch*, the *Providence Journal*, the *St Louis Post-Dispatch*, the *San Francisco Chronicle*, the *Los Angeles Times*, to mention eight of the best—a few columnists, and several of the journals of opinion did give an excellent coverage of the crisis and did demonstrate an under-

<sup>59</sup> *Harper's*, CLXXIII (June), 23

<sup>60</sup> The *Chicago Tribune*, for example, had only one editorial on the Rhineland in the entire month of March

standing of its meaning far beyond that of the majority They saw how completely nationalism and a defense of alleged national interests directed the policies of the European powers They understood the dangers to peace in German reassertion of its equality, in French resistance to change, and in British muddling, and they were wary of the new appearance of Soviet Russia as the prime advocate of collective security Some of them saw the growth of a powerful international fascist front built upon spectacular diplomatic victories and threatening more bloodless conquests or war Several evaluated exactly the real reasons for the failure of the League of Nations Some stressed that only a concerted frontal attack on Europe's many problems—political, military, economic, and social—could succeed in pacifying the continent And the best of them saw that the true conditions of peace were nothing less than a fundamental justice, dignity, and security for men everywhere But not one of them—a fact which should temper our judgment on French procrastination, British vacillation, and the League of Nations' ineffectiveness—presented a clear policy on how to deal immediately with the thirty thousand German troops that Adolph Hitler sent into the Rhineland on March 7, 1936

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## A SCIENTIFIC INACCURACY IN SOME RECENT PLAYS

PAUL P KIES  
Professor of English

Two American dramas of the last quarter of a century—Robert E. Sherwood's *The Road to Rome* (1926) and Clare Boothe Luce's *The Women* (1936)—contain the scientific inaccuracy that the period of gestation of the elephant is seven years, whereas it is not over twenty-two months. Evidently the author of the second play was misled by the first, or the error is rather widespread.

*The Road to Rome* has the following conversation involving the point in question:

SECOND GUARDSMAN Well, we got orders to move across the river, and young Mago comes up to the chief and says, "Hannibal," he says, "we can't move yet. One of my elephants is about to become a mother." And Hannibal says, "That's interesting, but what are we going to do about it? Do you think we ought to hold up the army 'till the child is born?" And young Mago says, "Yes, brother, I think we should, because that elephant ought not to be moved, not in her condition." Well, sir, Hannibal tried not to laugh, and he finally told the kid, "Mago," he says, "we've got a very important war on our hands, and however much we may sympathize with this poor, wayward elephant, I'm afraid we can't afford to wait for her." You know how long it takes an elephant to come across, don't you?

FIRST GUARDSMAN No

SECOND GUARDSMAN Seven years! (They all laugh uproariously.)

THIRD GUARDSMAN We'd have been there yet!

In *The Women* the pertinent passage is as follows (Edith being an expectant mother):

EDITH Oh my God! I'm sick as a cat (*Sits*)

SYLVIA It's a girl! Girls always make you sicker

NANCY Even before they're born?

EDITH I don't care what it is I've lost everything including my curiosity. Why did God make it take nine months?

NANCY (helpfully) It takes an elephant seven years

EDITH I wish I were an elephant I'll look like one anyway before I'm finished. And it would be heaven not to worry for seven years!

According to the *Encyclopaedia Britannica*, the period is only from eighteen to twenty-two months. "Exact information in regard to the period of gestation of the female is still lacking, the length of the period being given from eighteen to twenty-two months by differ-

<sup>1</sup> Act II (pp. 47-48 in the Samuel French edition [New York, 1926])

<sup>2</sup> Act I (p. 418 in John Gassner, *Twenty Best Plays of the Modern American Theatre* [New York: Crown Publishers, 1939])

ent authorities The native idea, which may be true, is that the shorter period occurs in the case of the female and the longer in that of male calves "<sup>3</sup> Webster's *New International Dictionary* gives the length of time as "21 or 22 months "<sup>4</sup>

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<sup>3</sup> Eleventh Edition (Cambridge, Eng., 1910-11), IX, 260

<sup>4</sup> Second Edition (Springfield, Mass., 1934), p 1052

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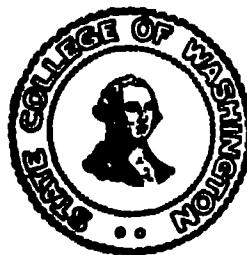
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**Published at the State College of Washington  
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Entered as second-class matter December 26, 1936, at the post office at Pullman, Washington, under Act of August 24, 1912

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